

<a href="#">1/9</a>	(1-32)	<a href="#">1/10</a>	(33-43)	<a href="#">1/14</a>	(44-51)
<a href="#">1/15</a>	(52-69)	<a href="#">1/16</a>	(70-76)	<a href="#">1/17</a>	(77-87)
<a href="#">1/22</a>	(88-98)	<a href="#">1/23</a>	(99-106)	<a href="#">1/24</a>	(107-119)
<a href="#">1/28</a>	(120-128)	<a href="#">1/29</a>	(129-138)	<a href="#">1/30</a>	(139-147)
<a href="#">1/31</a>	(148-157)	<a href="#">2/4</a>	(158-167)	<a href="#">2/5</a>	(168-183)
<a href="#">2/6</a>	(184-199)	<a href="#">2/7</a>	(200-212)	<a href="#">2/11</a>	(213-221)
<a href="#">2/12</a>	(222-231)	<a href="#">2/13</a>	(232-241)	<a href="#">2/14</a>	(242-255)
<a href="#">2/18</a>	(256-268)	<a href="#">2/19</a>	(269-282)	<a href="#">2/20</a>	(283-300)
<a href="#">2/21</a>	(301-314)	<a href="#">2/25</a>	(315-327)	<a href="#">2/26</a>	(328-340)
<a href="#">2/27</a>	(341-350)	<a href="#">2/28</a>	(351-371)	<a href="#">2/29</a>	(372-381)
<a href="#">3/3</a>	(382-395)	<a href="#">3/4</a>	(396-411)	<a href="#">3/5</a>	(412-429)
<a href="#">3/6</a>	(430-443)	<a href="#">3/10</a>	(444-457)	<a href="#">3/11</a>	(458-470)
<a href="#">3/12</a>	(471-488)	<a href="#">3/13</a>	(489-510)	<a href="#">3/19</a>	(511-516)
<a href="#">3/25</a>	(517-535)	<a href="#">3/26</a>	(536-578)	<a href="#">3/27</a>	(579-606)
<a href="#">3/28</a>	(607-614)	<a href="#">3/31</a>	(615-634)	<a href="#">4/1</a>	(635-666)
<a href="#">4/2</a>	(667-758)	<a href="#">4/3</a>	(759-784)	<a href="#">4/7</a>	(785-797)
<a href="#">4/8</a>	(798-824)	<a href="#">4/9</a>	(825-866)	<a href="#">4/10</a>	(867-895)
<a href="#">4/14</a>	(896-920)	<a href="#">4/15</a>	(921-952)	<a href="#">4/16</a>	(953-980)
<a href="#">4/17</a>	(981-1004)	<a href="#">4/21</a>	(1005-1023)	<a href="#">4/22</a>	(1024-1084)
<a href="#">4/23</a>	(1085-1130)	<a href="#">4/24</a>	(1131-1174)	<a href="#">4/28</a>	(1175-1193)
<a href="#">4/29</a>	(1194-1221)	<a href="#">4/30</a>	(1222-1256)	<a href="#">5/1</a>	(1257-1294)
<a href="#">5/2</a>	(1295-1312)	<a href="#">5/5</a>	(1313-1331)	<a href="#">5/6</a>	(1332-1362)
<a href="#">5/7</a>	(1363-1390)	<a href="#">5/8</a>	(1391-1430)	<a href="#">5/9</a>	(1431-1438)
<a href="#">5/12</a>	(1439-1519)	<a href="#">5/13</a>	(1520-1571)	<a href="#">5/14</a>	(1572-1711)
<a href="#">5/15</a>	(1712-1893)	<a href="#">5/16</a>	(1894-2047)	<a href="#">5/20</a>	(2048-2048)
<a href="#">5/29</a>	(2049-2052)	<a href="#">9/10</a>	(1-8)		

# Journal of the House

NINETY-FOURTH GENERAL ASSEMBLY  
of the  
STATE OF MISSOURI  
SECOND REGULAR SESSION

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FIRST DAY, WEDNESDAY, JANUARY 9, 2008

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

O Lord, our Lord, how excellent is Your name in all the earth.

You have declared to us from Your Word that wisdom is the principal thing and that should be our primary pursuit. It is more precious than earthly riches and nothing we desire can compare with it.

Father, we are determined to pursue wisdom and understanding, recognizing that wisdom coupled with good sense causes us to possess knowledge and good judgment. To fear You Lord is to hate evil, pride, arrogance, evil behavior and vicious speech. May this be the guiding principle of this session.

Your wisdom provides counsel, understanding and power. May we legislate by wisdom that we may establish laws that are beneficial and just.

Thank You, in advance, for granting us wisdom throughout this 2008 session. May we daily hear it, receive it, embrace it and apply it.

We ask these things in the name of Your Son. Amen.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Tara Duckworth and Xiaochu Hu.

## COMMUNICATION FROM THE SECRETARY OF STATE

To the Honorable House of Representatives of the 94th General Assembly, Second Regular Session, of the State of Missouri:

## 2 *Journal of the House*

In compliance with Section 115.525, Revised Statutes of Missouri, I have the honor to lay before you herewith a list of the names of the members of the House of Representatives for the 94<sup>th</sup> General Assembly (Second Regular Session) of the State of Missouri, elected at the General Election held on November 7, 2006.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the official seal of my office this 9<sup>th</sup> day of January, 2008.

/s/ Robin Carnahan  
SECRETARY OF STATE

### MISSOURI HOUSE OF REPRESENTATIVES 94<sup>th</sup> General Assembly, Second Regular Session

District	Name
1st	Brian Munzlinger
2nd	Rebecca McClanahan
3rd	Jim Whorton
4th	Mike Thomson
5th	Jim Guest
6th	Rachel Bringer
7th	John Quinn
8th	Tom Shively
9th	Paul Quinn
10th	Terry L. Witte
11th	Ed Schieffer
12th	Doug Funderburk
13th	Bob Onder
14th	Joe Smith
15th	Sally A. Faith
16th	Vacant (Special Election to be held February 5, 2008)
17th	Vicki Schneider
18th	Vacant
19th	Cynthia L. Davis
20th	Danielle (Danie) Moore
21st	Steve Hobbs
22nd	Therese Sander
23rd	Jeff Harris
24th	Ed Robb
25th	Judy Baker
26th	Joe Aull
27th	Ed Wildberger
28th	Rob Schaaf
29th	Martin T. Rucker
30th	Jason Brown
31st	Trent Skaggs
32nd	Jason Grill
33rd	Jerry Nolte
34th	Tim Flook
35th	Doug Ervin
36th	Bob Nance
37th	Mike Talboy
38th	Ryan Silvey
39th	Beth Low
40th	John Patrick Burnett
41st	Shalonn (KiKi) Curls

42nd	Leonard (Jonas) Hughes IV
43rd	Craig C. Bland
44th	Jenee Lowe
45th	Jason R. Holsman
46th	Kate Meiners
47th	Jeff Grisamore
48th	Will Kraus
49th	Terry Young
50th	Michael R. Brown
51st	Ray Salva
52nd	Paul LeVota
53rd	Curt Dougherty
54th	Gary Dusenberg
55th	Bryan Pratt
56th	Brian Yates
57th	Talibdin (TD) El-Amin
58th	Rodney R. Hubbard
59th	Jeanette Mott Oxford
60th	Jamilah Nasheed
61st	Connie (LaJoyce) Johnson
62nd	Dennis F. Wood
63rd	Robin Wright Jones
64th	Rachel Storch
65th	Vacant (Special Election to be held February 5, 2008)
66th	Michael Vogt
67th	Mike Daus
68th	David Sater
69th	Gina Walsh
70th	John L. Bowman, Sr.
71st	Esther Hill Haywood
72nd	Maria N. Chappelle-Nadal
73rd	Margaret Donnelly
74th	Tony George
75th	Bruce Darrough
76th	Michael J. Spreng
77th	Michael George Corcoran
78th	Clint Zweifel
79th	Albert J. (Al) Liese
80th	Theodore (Ted) Hoskins
81st	Juanita Head Walton
82nd	Sam Page
83rd	Jake Zimmerman
84th	Allen Icet
85th	Jim Lembke
86th	Jane Cunningham
87th	T. Scott Muschany
88th	Neal C. St. Onge
89th	Timothy W. Jones
90th	Sam Komo
91st	Kathlyn Fares
92nd	Charles R. Portwood
93rd	Dwight Scharnhorst
94th	Rick Stream
95th	Jim Avery
96th	Patricia (Pat) Yaeger
97th	Walt Bivins

98th	Brian Nieves
99th	Mike Sutherland
100th	Sue Schoemehl
101st	Timothy G. (Tim) Meadows
102nd	Jeff Roorda
103rd	Ron Casey
104th	Joseph Fallert, Jr.
105th	Michael R. Frame
106th	Steven Tilley
107th	Brad Robinson
108th	Thomas Albert Villa
109th	Kevin Threlkeld
110th	Belinda Harris
111th	Charlie W. Schlottach
112th	Tom Loehner
113th	Mark J. Bruns
114th	Bill Deeken
115th	Rodney Schad
116th	Tom Self
117th	Kenny Jones
118th	Stanley Cox
119th	Larry D. Wilson
120th	Shannon Cooper
121st	David Pearce
122nd	Mike McGhee
123rd	Brian L. Baker
124th	Luke Scavuzzo
125th	Barney Fisher
126th	Ed Emery
127th	Steve Hunter
128th	Bryan P. Stevenson
129th	Ronald F. Richard
130th	Kevin Wilson
131st	Marilyn M. Ruestman
132nd	Don Ruzicka
133rd	Mike Parson
134th	Jim Viebrock
135th	Charles W. Denison
136th	B.J. Marsh
137th	Charlie Norr
138th	Sara Lampe
139th	Shane Schoeller
140th	Bob Dixon
141st	Jay Wasson
142nd	Raymond (Ray) Weter
143rd	Maynard Wallace
144th	Van Kelly
145th	Mike Cunningham
146th	Darrell Pollock
147th	Don Wells
148th	David Day
149th	Bob May
150th	Jason T. Smith
151st	Ward Franz
152nd	J.C. Kuessner
153rd	Mike Dethrow

154th	Gayle Kingery
155th	Wayne Cooper
156th	Rod (Rodney) Jetton
157th	Scott A. Lipke
158th	Vacant (Special Election to be held February 5, 2008)
159th	Billy Pat Wright
160th	Ellen Brandom
161st	Steve Hodges
162nd	Terry Swinger
163rd	Thomas (Tom) Todd

Representative Tilley suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 146

Aull	Baker 25	Baker 123	Bivins	Bowman
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Daus	George	Talboy	Vogt
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PRESENT: 002

Darrough	Spreng
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ABSENT WITH LEAVE: 007

Avery  
Johnson

Bland  
Low 39

Chappelle-Nadal

Cooper 120

Harris 23

VACANCIES: 004

## ADDRESS BY SPEAKER ROD JETTON

I want to take just a few moments to look back at the past because when you are in your last year you kind of look back and you wonder “have we made a difference up here?” And I will tell you, many of you weren’t here back in 2000 when I first was elected but it’s a lot different state. It’s a lot different House. And I think there are a lot of things that we as a whole, both Republicans and Democrats, can take credit for.

One thing I remember back to when I was elected - Governor Holden, to his unfortunate situation, inherited a pretty big mess to deal with budget wise. We were losing a lot of jobs and while he was governor we lost probably more jobs than any other state in the country. But I am proud to tell you we worked on tort reform, worker’s comp, unemployment, a lot of things. There was some controversy within parties but there was a lot of agreement on things within parties - stimulus packages, economic development packages. Today our state has created 90,000 new jobs and we’ve put people back to work. And in the House we can be thankful for that.

When I was elected we had a terrible budget situation. Governor Holden had to deal with it. There were no easy answers for him. And three years ago, when you elected me to be Speaker, we had a terrible budget shortfall. And now we have almost 500 to 600 million dollar surpluses. It’s a totally different budget situation that makes our life as House members, as we try to prioritize budget needs, a lot better.

Size of state government - For years our government had 65,000 state employees. Back when we took over – 62,000 state employees. Well today we have actually shrunk the size of the state bureaucracy and I think we’ve improved the delivery of services and the things that people depend on. We have less than 60,000 state employees and for the first time in anyone’s recent memory we’ve shrunk the size of state government.

Education funding - something that we all care about in both parties. We’ve actually increased education funding the last three years 452 million dollars. This last year we passed the largest education budget in the state of Missouri’s history and we did it together and I think that’s something we should be proud of.

When Governor Holden took over he had to cut higher education. He takes a lot of criticism for that but really he didn’t have a whole lot of places to turn to cut. We’ve added 74 million dollars to higher education in the last few years. Last year we put 45 million dollars into scholarships and I am proud to tell you 37,000 students got a scholarship to go to college this fall based on what we did last year. We can be proud of what we did there.

Let me tell you about transportation. You know we’ve gone from the 47<sup>th</sup> worst roads to the ninth best. We totally changed. MoDOT is now spending the third lowest administrative costs per mile. All of those things we can take credit in some of the policies we adopted here in the House. But the thing we should be most proud of is 161 fewer people died on our highways last year in the State of Missouri. And that’s a real difference for families all over.

You know last year we cut taxes for seniors and firefighters and teachers. We did that together, both Republicans and Democrats. This year 300,000 people have had their tax burden lifted just a little bit. And we still have budget surpluses even while we’ve done that. We should be proud of that.

And then something that might make my good friends on the Democrat side of the aisle happy. You know Governor Holden had to cut a lot of programs and it wasn’t programs that he wanted to cut. I know that. But we’ve increased funding for autism; for the SCHIP program by 51 million dollars; for First Steps; and something I care about - the food pantry tax credit we were able to do; and Utilicare for low-income people who need help paying utility bills. These are all things that when Governor Holden was governor, and the budget was tight, he couldn’t do. And I have to tell you, both Democrats and Republicans, the last few years we’ve been able to put money toward those programs. Some

of us on the Republican side may not have been as excited about it, but you guys insisted on it and we did it and together we've helped a lot of people that needed help in the State of Missouri.

Now I am going to touch on one thing that might be a little more controversial - abortion. I think President Bill Clinton used to say that he wanted to make abortion safe and rare - safe and rare. Now whether you're pro-life or pro-choice, most people would like to reduce the number of abortions. And I will tell you that in the state of Missouri last year, we did the fewest number of abortions we've done in this state since 1975. And I guarantee you the abortions that were done were done in a lot safer way for those women. That is something we probably all should, and can, be proud of.

When I got elected we were the number one meth producing state in the country. And if you've got a family, or you've got kids, and you see this drug out there. We've actually lowered meth incidents in this state, since we took over and with the laws we've passed, by 55 percent. And that is impacting kids' lives every day in this state.

I think that in the House, we don't want to shortchange the Senate. We don't want to shortchange the governor. But let's be honest. In my opinion the Missouri House, the people's House; we're elected every two years, we're closest to the people more than anybody in this state. If you look at all these issues, we've produced more jobs; we've produced budget surpluses; we shrunk the size of state government; we've improved our roads; we've put more money into education; we've put more money in higher education; we've put more money into funding programs that could never have gotten money before - Utilicare, SCHIP, autism. And we've actually made our communities safer.

In my opinion, the Missouri House is the one that led these changes and made a difference. And it wasn't just Republicans and it wasn't just Democrats. It was all of us working together on these key issues. But there's one thing I may be more proud of than all of that. And I will tell you in my last year, it's the fact that I've watched us over the last three years become better friends on both sides of the aisle. I watched the debates last year and there were only two situations that I saw on the House floor last year where members got personal and a little testy with each other. We had our debates and our disagreements but they were professional; they were honorable; they were just the way a Democracy, and I think the founding fathers, designed it to be.

You know last year we had some tragic situations. We had some members who lost their wives, their fathers, their grandfathers. And you know, on both sides of the aisle when that happened we came to the aid of those people. And they were grateful we were with them. That's what friends do. We had some situations where we had some births, new babies, some celebrations, and a few marriages. And we celebrated those times together as friends. And I guess what I'm most proud of is that we've become better friends because we can actually go out to have dinner together - which we used to not do in this building - and that we actually know about each other's families. We may disagree with each other but we know we're all trying to make this a better state.

I think that's what has allowed us to lead this state. I am so proud that we have set an example of putting the partisan differences aside and working together to solve the key issues in a professional way - not that you agree but you did it in a professional way. We really changed this state and to me that's something we should all be proud of. And I thank you because we can't do it by ourselves. It takes all of us together to do it.

Now we have a few issues - I'll talk about a few things I hope we can work on in this last year. I know it's an election year and people say you can't do as much, but I will tell you the gentleman from Jackson, LeVota district, the new minority leader; I can't tell you how many times he and I have talked on the phone this Fall and Summer. Believe it or not, a Democrat and a Republican can pick up the phone and talk about how we're going to deal with an issue. Does that mean we agree? Not always, but we at least talk about what can we do to solve a problem for people in this state.

That's what I always hoped the House could be like because I am telling you, for some of you who are new who weren't here 4, 6, 8 years ago, it was not that way. All we ever did was fight and try to get the upper hand on each other. But that's not the way the new Minority Leader is. That's not the way I am. And I know, based on what I saw last year, that's not the way any of you are.

What do I think we need to look at? I am going to start with education. We've got the 44<sup>th</sup> lowest teacher salary in the nation. And I'm going to sponsor a bill myself, and of course it's my bill so I guess I'm a little bit positive on it,



but I hope you'll join me in trying to increase the pay of our teachers and stop this teacher shortage so our kids can get a good education in the state of Missouri.

Another issue I think is very important is the Teacher Protection Act. We've worked on it a few years. It would reduce liability for our teachers and our administrators so that they can remove the tough discipline kids out of the classroom. We've had a lot of bipartisan support in the House on it. We've had a little trouble getting it through the Senate. But I think it's something we should try to continue to push as a House and, as we always seem to do, lead the charge on making things better for educators. I think we should pass the Teacher Protection Act again this year.

Another issue we've worked together on - we've got to do something to make sure Missouri is doing what it can to stop and stem the tide of illegal immigration in America and particularly in our state.

Another issue - and if you're like me from Marble Hill or wherever you're from, particularly it seems like St. Louis - we continue to hear horror stories of the increased property taxes and how that is affecting people all over the state, particularly those on fixed incomes. I hope we can work together to get something done to relieve the property tax burden in the State of Missouri especially on our seniors.

Again, I just want to thank everyone for the way things have gone the last few years. I really can't tell you how I'm looking forward to working with each and everyone of you. We've got such great people up here. And I will tell you when I was a freshman I wouldn't really have wanted people back home, or people around the state, to know how we treated each other and how we acted up here. Now I wish we could take a tour bus around this state and bring them all up here and let them see how we act because I think whether they're a Republican or a Democrat - well maybe some of our more hardcore Republicans and hardcore Democrats want us to fight a little bit more - but most Missourians would be proud and thankful for how we conduct ourselves. I just thank you for the way you treat each other each and every day we try to make this state a better place to live. Thanks.

Pursuant to the provisions of Section 9.141, RSMo, the Bill of Rights was read by Patty Buxton, Revisor of Statutes for the Joint Committee on Legislative Research.

## HOUSE RESOLUTIONS

Representative Tilley offered **House Resolution No. 1**, which was read.

### HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, inform the Senate that the House is duly convened and is now in session ready for consideration of business.

On motion of Representative Tilley, **House Resolution No. 1** was adopted.

Representative Tilley offered **House Resolution No. 2**, which was read.

### HOUSE RESOLUTION NO. 2

BE IT RESOLVED, that a message be sent to the Governor of the State of Missouri to inform His Excellency that the House of Representatives and the Senate of the Ninety-fourth General Assembly, Second Regular Session of the State of Missouri, are now regularly organized and ready for business, and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Tilley, **House Resolution No. 2** was adopted.

## **HOUSE CONCURRENT RESOLUTIONS**

Representative Tilley offered **House Concurrent Resolution No. 1**, which was read.

### **HOUSE CONCURRENT RESOLUTION NO. 1**

BE IT RESOLVED, by the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 7:00 p.m., Tuesday, January 15, 2008, to receive a message from His Excellency, the Honorable Matt Blunt, Governor of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Governor of the State of Missouri and inform His Excellency that the House of Representatives and Senate of the Ninety-fourth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that His Excellency may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Tilley, **House Concurrent Resolution No. 1** was adopted.

Representative Tilley offered **House Concurrent Resolution No. 2**, which was read.

### **HOUSE CONCURRENT RESOLUTION NO. 2**

BE IT RESOLVED, by the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Tuesday, February 5, 2008, to receive a message from Her Honor Chief Justice Laura Denvir Stith, the Chief Justice of the Supreme Court of the State of Missouri; and

BE IT FURTHER RESOLVED, that a committee of ten (10) from the House be appointed by the Speaker to act with a committee of ten (10) from the Senate, appointed by the President Pro Tem, to wait upon the Chief Justice of the Supreme Court of the State of Missouri and inform Her Honor that the House of Representatives and the Senate of the Ninety-fourth General Assembly, Second Regular Session, are now organized and ready for business and to receive any message or communication that Her Honor may desire to submit, and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Tilley, **House Concurrent Resolution No. 2** was adopted.

Representative Tilley offered **House Concurrent Resolution No. 3**, which was read.

### **HOUSE CONCURRENT RESOLUTION NO. 3**

BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session of the State of Missouri, the Senate concurring therein, that the House of Representatives and the Senate convene in Joint Session in the Hall of the House of Representatives at 10:30 a.m., Wednesday, February 6, 2008, to receive a message from Pete K. Rahn, Director of the Missouri Department of Transportation; and that the Chief Clerk of the House of Representatives be directed to inform the Senate of the adoption of this resolution.

On motion of Representative Tilley, **House Concurrent Resolution No. 3** was adopted.

## **HOUSE RESOLUTIONS**

Representative Jones (89) offered House Resolution No. 11.  
Representative Storch offered House Resolution No. 18.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3 through House Resolution No. 10  
House Resolution No. 12 through House Resolution No. 17  
House Resolution No. 19 through House Resolution No. 25

## **HOUSE CONCURRENT RESOLUTIONS**

Representative Wright, et al., offered House Concurrent Resolution No. 4.  
Representative Smith (14), et al., offered House Concurrent Resolution No. 5.  
Representative Burnett, et al., offered House Concurrent Resolution No. 6.  
Representative Pearce, et al., offered House Concurrent Resolution No. 7.

## **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 39**, introduced by Representative Kuessner, relating to initiative petitions.

**HJR 40**, introduced by Representative Kuessner, relating to submission of constitutional amendments.

**HJR 41**, introduced by Representatives Cunningham (86), Jones (89), Nieves, Scharnhorst, Nolte, Schad, Day, Davis, Munzlinger, Ruestman, Stevenson, Cox, Schoeller, Flook, Dusenberg and McGhee, relating to state court jurisdiction.

**HJR 42**, introduced by Representatives Davis, Dusenberg, Wells, Brown (30) and Nolte, relating to real property taxation.

**HJR 43**, introduced by Representatives Portwood, Lembke, Jones (89), Cunningham (86) and Bivins, relating to limitations on property tax revenue.

**HJR 44**, introduced by Representatives Flook, Baker (123), Nolte, Sater, Weter, McGhee, Ruzicka and Bivins, relating to bonded indebtedness of school districts.

**HJR 45**, introduced by Representatives Flook, Ruestman, Cox and McGhee, relating to the general assembly.

**HJR 46**, introduced by Representative Kraus, relating to the general assembly.

**HJR 47**, introduced by Representative Portwood, relating to property exempt from taxation.

**HJR 48**, introduced by Representatives Cox, Fisher, Ervin, Schaaf, Davis, Jones (89), Ruestman, Wallace, Funderburk, Sander, Dusenberg, Bivins, Wells and Scharnhorst, relating to voter identification.

**HJR 49**, introduced by Representatives Cox, Schaaf, Ruestman, Sander, Dusenberg, Bivins, Scharnhorst and Muschany, relating to the appellate judicial commission.

**HJR 50**, introduced by Representatives Dusenberg, Yates, LeVota, Kraus, Talboy and Pratt, relating to the department of transportation.

**HJR 51**, introduced by Representative Lembke, relating to the commission on retirement, removal, and discipline.

**HJR 52**, introduced by Representatives Lembke, Ruestman, Portwood, Cunningham (86), Icet, Muschany, Tilley, Emery, Bivins, Dusenberg and Nieves, relating to judicial appointments.

**HJR 53**, introduced by Representatives LeVota, Burnett, Kraus, Roorda, Holsman, Schieffer and Dusenberg, relating to the department of transportation.

### **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were read the first time and copies ordered printed:

**HB 2015**, introduced by Representative Icet, to appropriate money for supplemental purposes for the Department of Social Services, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

**HB 2021**, introduced by Representative Icet, to appropriate money for supplemental purposes for the Department of Conservation, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, from the funds designated for the fiscal period ending June 30, 2008.

**HB 2022**, introduced by Representative Icet, to appropriate money for supplemental purposes for the Department of Public Safety, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1299**, introduced by Representative Kuessner, relating to all-terrain vehicles.

**HB 1300**, introduced by Representative Kuessner, relating to medical malpractice insurance.

**HB 1301**, introduced by Representatives Whorton, Meadows, Weter, Vogt, Wildberger, Yaeger and Lampe, relating to payday loans.

**HB 1302**, introduced by Representatives Whorton, Roorda, Meadows, Vogt, Wildberger, Yaeger and McGhee, relating to eligibility for medical assistance.

**HB 1303**, introduced by Representatives Whorton, Roorda, Meadows, Vogt, Wildberger, Yaeger and McGhee, relating to nursing homes.

**HB 1304**, introduced by Representative Cooper (120), relating to county officers performing duties for municipalities.

**HB 1305**, introduced by Representatives Day, Pearce, Jones (89), Wright, Norr, Sander, Sater, Weter, Wells, Schad, Ruestman and Cooper (155), relating to transfer student curriculum.

**HB 1306**, introduced by Representatives Day, Wright, Norr, Sander, Weter, Wells and Whorton, relating to the endowed care fund.

**HB 1307**, introduced by Representatives Day, Jones (89), Holsman, Kraus, Wright, Norr, Weter, Wallace, Wells, Schad, Ruestman, Brown (30) and Cooper (155), relating to combat veterans.

**HB 1308**, introduced by Representatives Day, Wright, Norr, Sander and Sater, relating to circuit court marshals.

**HB 1309**, introduced by Representatives Day, Jones (89), Schaaf, Wright, Norr, Sander, Weter, Wallace, Wells, Schad and Cooper (155), relating to driver's licenses.

**HB 1310**, introduced by Representative Hoskins, relating to independent candidates.

**HB 1311**, introduced by Representative Hoskins, relating to write-in candidates.

**HB 1312**, introduced by Representative Hoskins, relating to license plates.

**HB 1313**, introduced by Representatives Wright, Day, Fisher, Stream, Page, Brown (50), Dusenberg and Schad, relating to state purchasing.

**HB 1314**, introduced by Representatives Cunningham (86), Nieves, Jones (89), Flook, Baker (25), Stevenson, Ruestman, Cox and Scharnhorst, relating to protecting children from sexual offenders.

**HB 1315**, introduced by Representatives Cunningham (86), Scharnhorst, Jones (89), Cox, Nieves, Stevenson, Davis, Schad, Nolte and McGhee, relating to intellectual diversity.

**HB 1316**, introduced by Representatives Davis, Dusenberg and McGhee, relating to parental rights.

**HB 1317**, introduced by Representatives Davis, Cunningham (86), Dusenberg and Nolte, relating to registration of voters.

**HB 1318**, introduced by Representatives Davis, Emery and Cunningham (86), relating to the disclosure of employment information.

**HB 1319**, introduced by Representative Brown (50), relating to a tax credit for employers who hire high school students for summer jobs.

**HB 1320**, introduced by Representative Brown (50), relating to community improvement districts.

**HB 1321**, introduced by Representatives Sutherland, Faith, Onder, Flook, Fisher, Meiners, Nieves and Bruns, relating to property taxation.

**HB 1323**, introduced by Representatives Sater, Wallace, Ruestman, Weter, Sander and Dusenberg, relating to a registry for methamphetamine offenders.

**HB 1324**, introduced by Representatives Sater, Wells, Ruestman and McGhee, relating to elections in villages.

**HB 1325**, introduced by Representatives Sater, McGhee and Whorton, relating to prescriptive authority.

**HB 1326**, introduced by Representatives Sater, McGhee and Jones (89), relating to an income tax deduction for qualified hybrid motor vehicle purchases.

**HB 1327**, introduced by Representatives Sater, Wallace and Wells, relating to healthy food pilot program.

**HB 1328**, introduced by Representative Sater, relating to confidentiality of prescriptive information.

**HB 1329**, introduced by Representatives Sater, Wallace and Brown (30), relating to the registration of light weight trailers.

**HB 1330**, introduced by Representatives Sater and Wallace, relating to smoking cessation.

**HB 1331**, introduced by Representatives Sater, Wallace and Weter, relating to health information.

**HB 1332**, introduced by Representatives Sater, Wallace and Wells, relating to pharmacists and pharmacies.

**HB 1333**, introduced by Representatives Sater and Wallace, relating to noxious weeds.

**HB 1334**, introduced by Representatives Salva, Meadows, Norr, Bowman, Wildberger and Roorda, relating to ticket scalping.

**HB 1335**, introduced by Representatives Salva, Meadows, Norr, Schieffer, Bowman and Wildberger, relating to public records.

**HB 1336**, introduced by Representatives Wood, Weter, Wasson, Sater, Wallace, Viebrock, Vogt, Lampe, Norr, Harris (110), Oxford, Whorton, McGhee, Denison, Lipke and Page, relating to incorporation of cities.

**HB 1337**, introduced by Representative Wood, relating to disincorporation of villages.

**HB 1338**, introduced by Representatives Muschany and Jones (89), relating to road construction.

**HB 1339**, introduced by Representative Muschany, relating to the definition of health care providers for purposes of medical malpractice.

**HB 1340**, introduced by Representatives Muschany, Jones (89), Scharnhorst, Yates and Cunningham (86), relating to the federal income tax deduction.

**HB 1341**, introduced by Representatives Ruestman, Stevenson, McGhee, Emery, Sater and Wilson (130), relating to swimming pools.

**HB 1342**, introduced by Representative Portwood, relating to the conservator's investment in property.

**HB 1343**, introduced by Representatives Portwood, Lembke, Cunningham (86) and Darrough, relating to The Missouri Homestead Preservation Act.

**HB 1344**, introduced by Representative Portwood, relating to purchased merchandise from secondhand dealers.

**HB 1345**, introduced by Representatives Portwood, Zimmerman, Threlkeld, Baker (25), Harris (23), Bruns, Cunningham (86) and Meiners, relating to a tax credit for disability home remodeling.

**HB 1346**, introduced by Representatives Portwood, Bruns, Schaaf, Cox, Ervin and Brown (30), relating to the Missouri taxpayer and citizen protection act.

**HB 1347**, introduced by Representatives Portwood and Bruns, relating to the Missouri senior advocacy and efficiency commission.

**HB 1348**, introduced by Representatives Portwood and Darrough, relating to duties of the board of police commissioners.

**HB 1349**, introduced by Representatives Portwood, Jones (89), Cunningham (86), Lembke and Bivins, relating to property tax rate revisions.

**HB 1350**, introduced by Representatives Hodges, Daus, Deeken, Talboy and Jones (89), relating to insurance coverage for treatment of infertility.

**HB 1351**, introduced by Representative Cunningham (145), relating to holidays.

**HB 1352**, introduced by Representative Page, relating to student housing at public institutions of higher education.

**HB 1353**, introduced by Representative Fallert, relating to school bus endorsements.

**HB 1354**, introduced by Representatives Wilson (119), Fisher, Loehner, Wallace, Schad, Weter, McGhee and Ruestman, relating to exempting certain types of vehicles from registration and licensing laws.

**HB 1355**, introduced by Representatives Schaaf, Wildberger and Rucker, relating to abatement of nuisances.

**HB 1356**, introduced by Representatives Flook and Fisher, relating to school bus safety belts.

**HB 1357**, introduced by Representatives Flook, Cunningham (86), Kraus, Ruestman, Sander, Wells, Dusenberg, Emery, Schad, Ruzicka and Davis, relating to criminal nonsupport.

**HB 1358**, introduced by Representatives Flook, Kraus, Stevenson, Jones (89) and Grill, relating to child custody jurisdiction and enforcement.

**HB 1359**, introduced by Representatives Flook, Ruestman, Stevenson and Grill, relating to the uniform premarital agreement act.

**HB 1360**, introduced by Representatives Flook, Jones (89), Ruestman, Schad and Grill, relating to the interstate family support act.

**HB 1361**, introduced by Representatives Donnelly, Baker (25), Lampe, Komo, Spreng, Yaeger, Roorda, Low (39), Page, Zweifel, Storch, Wildberger, McClanahan, Moore, Hughes and Curls, relating to product safety for children.

**HB 1363**, introduced by Representative Cunningham (145), relating to exemptions from sales and use taxes.

**HB 1364**, introduced by Representative Cunningham (145), relating to compensation for retired patrol officers who testify in court proceedings at least thirty miles from their residences.

**HB 1365**, introduced by Representatives Fares, Portwood, Bruns, Stream, Schoemehl, Faith and Bivins, relating to a tax credit for certain real property taxes.

**HB 1366**, introduced by Representatives Fares, Cunningham (86) and Bivins, relating to the taxation of property.

**HB 1367**, introduced by Representatives Ruestman, Bruns, Roorda, Ruzicka, Wilson (130), Fisher, Brandom, Whorton, Stevenson, Loehner and McGhee, relating to an income tax credit for volunteer firefighters.

**HB 1368**, introduced by Representative Thomson, relating to Northwest Missouri State University.

**HB 1369**, introduced by Representatives Bruns and Moore, relating to the joint committee on corrections.

**HB 1370**, introduced by Representative Kraus, relating to real property taxation.



**HB 1371**, introduced by Representatives Wilson (119), Pearce, Fisher, Loehner, Wallace, Dethrow, Dusenberg, Weter, McGhee, Ruestman and Wells, relating to rural empowerment zone criteria.

**HB 1372**, introduced by Representatives McGhee, Sater, Dusenberg, Sander and Fisher, relating to the Missouri state park board.

**HB 1373**, introduced by Representatives Day, Meadows, Jones (89), Holsman, Brown (30), McGhee, Loehner, Funderburk, Portwood, Wilson (130), Walton, Darrough, Dusenberg, Scharnhorst, Deeken, Nolte, Guest and Schad, relating to flags flown over state buildings.

**HB 1374**, introduced by Representatives Portwood, Darrough, Jones (89) and McGhee, relating to registered professional school nurses.

**HB 1375**, introduced by Representative Portwood, relating to physician provider reimbursement under the state medical assistance program.

**HB 1376**, introduced by Representatives Portwood and Komo, relating to the enforcement of traffic control signal violations.

**HB 1377**, introduced by Representatives Portwood, Bruns and Jones (89), relating to personal property taxes on motor vehicles.

**HB 1378**, introduced by Representative Portwood, relating to tax increment financing.

**HB 1380**, introduced by Representatives Sater and Wallace, relating to senior citizens' services.

**HB 1381**, introduced by Representatives Kraus, Ruestman, Dusenberg, McGhee, Sater and Wells, relating to employment of illegal aliens.

**HB 1382**, introduced by Representatives Cox, Onder, Fisher, Ervin, Schaaf, Davis, Brown (30), Ruestman, Funderburk, Sander, Bivins and Wells, relating to the age of victims and perpetrators in certain criminal statutes.

**HB 1383**, introduced by Representatives Cox, Day, Fisher, Ervin, Schaaf, Ruestman, Funderburk, Sander, Dusenberg, Wells, Munzlinger, Kraus and Scharnhorst, relating to business premises safety.

**HB 1384**, introduced by Representatives Cox, Fisher, Schaaf, Cunningham (86), Jones (89), Ruestman, Funderburk, Sander, Dusenberg, Bivins and Wells, relating to identity theft incident reports.

**HB 1385**, introduced by Representatives Cox, Cunningham (86), Fisher, Schaaf, Nolte, Ruestman, Funderburk, Bivins, Munzlinger and Scharnhorst, relating to security freezes.

**HB 1386**, introduced by Representatives Cox and Ruestman, relating to municipal health facilities.

**HB 1387**, introduced by Representatives Cox, Fisher, Schaaf, Funderburk, Sander, Bivins, Munzlinger and Scharnhorst, relating to payment of rent when a leased residence is destroyed.

**HB 1388**, introduced by Representatives Cox and Scharnhorst, relating to motorcycle passengers.

**HB 1389**, introduced by Representatives Loehner, Jones (117), Wallace, Dethrow, Wells, Munzlinger, Schlottach, Quinn (7) and Schad, relating to surface mining and gravel excavation.

**HB 1390**, introduced by Representatives Loehner, Wallace, Wells, Munzlinger, Schlottach, Quinn (7) and May, relating to the family farm livestock loan program tax credit.

**HB 1391**, introduced by Representatives Loehner, Day and May, relating to the designation of a memorial highway.

**HB 1392**, introduced by Representative Loehner, relating to watercraft tax.

**HB 1393**, introduced by Representatives Dusenberg, Day, Young, Wilson (119), Fisher, Baker (123), Munzlinger, Whorton, McGhee, Guest, Brown (30), Smith (150) and Moore, relating to protective headgear for operation of motorcycles or motortricycles.

**HB 1394**, introduced by Representatives Dusenberg, Brown (30), Ervin, Ruestman, Fisher and Yates, relating to money transmissions.

**HB 1395**, introduced by Representatives Dusenberg, Ervin, Ruestman, Fisher, Schad, Brown (30) and Yates, relating to sanctuary for illegal aliens.

**HB 1396**, introduced by Representatives Dusenberg, Ruestman, Fisher, Bruns, McGhee, Cox, Kraus, Schad, Brown (30) and Yates, relating to sex offenders.

**HB 1397**, introduced by Representatives Dusenberg, Ruestman, Fisher, Bruns, McGhee, Cox, Kraus, Schad, Brown (30) and Yates, relating to sexual offenders.

**HB 1398**, introduced by Representatives Dusenberg and Schaaf, relating to the state legal expense fund.

**HB 1399**, introduced by Representatives Dusenberg, Bruns, Meadow and Vogt, relating to workers' compensation.

**HB 1400**, introduced by Representatives Dusenberg and Pratt, relating to school officers.

**HB 1401**, introduced by Representative Dusenberg, relating to health screening of public school students.

**HB 1402**, introduced by Representative Dusenberg, relating to the compulsive gamblers fund.

**HB 1403**, introduced by Representative Dusenberg, relating to the Missouri gaming commission.

**HB 1404**, introduced by Representatives Weter, Bruns, Meadows, Sater, Dusenberg, McGhee, Roorda, Schad, Wallace, Sander and Denison, relating to assault of a law enforcement officer, corrections officer, emergency personnel or probation and parole officer.

**HB 1405**, introduced by Representatives Weter, Cunningham (145), Meadows, Sater, Wasson, Roorda, Denison and Wallace, relating to restricted natural substances.

**HB 1406**, introduced by Representatives Deeken, Day and McGhee, relating to the establishment and administration of a drunk driving memorial sign program.

**HB 1407**, introduced by Representative Deeken, relating to petition circulators.

**HB 1408**, introduced by Representative Deeken, relating to the reduction of alcohol-related problems.

**HB 1409**, introduced by Representatives Deeken, Day, Ruestman, Dusenberg, McGhee and Loehner, relating to ignition interlock restricted driver's licenses.

**HB 1410**, introduced by Representatives Flook, Pratt, Holsman, Talboy, Roorda, Dusenberg and Silvey, relating to certain police officers' compensation.

**HB 1411**, introduced by Representatives Darrough, Hodges, Wildberger and Spreng, relating to unlawful possession of a firearm.

**HB 1412**, introduced by Representatives Silvey, Pratt, Talboy, LeVota, Bland, Hughes, Curls, Low (39), Salva, Holsman, Brown (50), Nolte and Skaggs, relating to certain police officers' compensation.

**HB 1413**, introduced by Representatives Fallert, Frame, Meadows, Harris (110), Roorda and Casey, relating to certain sexual offenders residing within one thousand feet of certain schools or child care facilities.

**HB 1414**, introduced by Representatives Fallert, Komo, Frame, Meadows, Harris (110), Roorda, Casey and Robinson, relating to the Missouri Rx plan.

**HB 1415**, introduced by Representatives Robb, Bruns, Bivins, Cunningham (86) and Deeken, relating to bond registration fees.

**HB 1416**, introduced by Representatives Nance, Sater and Fisher, relating to the official state mushroom.

**HB 1417**, introduced by Representatives Nance, Deeken, Nolte, Cunningham (86) and Fisher, relating to small claims actions.

**HB 1418**, introduced by Representative Portwood, relating to the state board of chiropractic examiners.

**HB 1419**, introduced by Representative Portwood, relating to massage therapy.

**HB 1420**, introduced by Representatives St. Onge, Faith, Sater, Wells, Wallace, Meadows, Munzlinger, Schad, Day, Emery, Dusenberg, Cox, Ruestman, Cunningham (86), Scharnhorst, McGhee and Davis, relating to commercial driver's licenses.

**HB 1421**, introduced by Representatives St. Onge, Faith, Quinn (7), Dusenberg, Funderburk, Swinger, Ruzicka and Yaeger, relating to protecting highway workers.

**HB 1422**, introduced by Representatives St. Onge, Faith, Wells, Munzlinger, Funderburk and Yaeger, relating to unified carrier registration.

**HB 1423**, introduced by Representatives St. Onge, Faith, Ruestman, Roorda, Schad and Cunningham (86), relating to ignition interlock devices.

**HB 1424**, introduced by Representatives St. Onge, Faith, Quinn (7), Cox, Sander, Ruestman, Funderburk, Page, Swinger, Muschany, Ruzicka, Yaeger, Wells and Wilson (130), relating to overtime compensation.

**HB 1425**, introduced by Representatives Munzlinger, Wright, Ruzicka, Sander, Moore, Schlottach, Schad, Wells, Fisher, May, Whorton and McGhee, relating to agricultural tax credits.

**HB 1426**, introduced by Representative Kraus, relating to the public service commission.

**HB 1427**, introduced by Representatives Kraus, Dusenberg, McGhee and Moore, relating to reporting of child abuse.

**HB 1428**, introduced by Representative Kraus, relating to the failure to wear a safety belt.

**HB 1429**, introduced by Representatives Smith (14), Faith, Daus and Scharnhorst, relating to wireless telephone use.

**HB 1430**, introduced by Representative Brown (30), relating to excavation requirements.

**HB 1431**, introduced by Representative Hodges, relating to transient guest taxes for certain cities.

**HB 1432**, introduced by Representatives Wildberger, Rucker, Johnson and Roorda, relating to tampering with a judicial officer.

**HB 1433**, introduced by Representatives Wildberger, Baker (25), Roorda and Rucker, relating to disposable cell phone purchases.

**HB 1434**, introduced by Representatives Wildberger, Baker (25), Harris (110), Rucker, Grill, Meiners and Roorda, relating to the employment of an illegal alien.

**HB 1435**, introduced by Representatives Wildberger, Rucker and Roorda, relating to mutual insurance companies.

**HB 1436**, introduced by Representatives Wildberger, Johnson, Rucker, McGhee, Meiners and Roorda, relating to the DNA profiling system.

**HB 1437**, introduced by Representatives Smith (14), Yates, Funderburk and Grill, relating to sales tax exemptions.

**HB 1438**, introduced by Representative Kelly, relating to use of public lands.

**HB 1439**, introduced by Representatives Roorda, Corcoran, Wildberger, Baker (25), Bowman, Darrough, Donnelly, Fallert, Casey, Frame, Grill, Harris (110), Hodges, Holsman, Komo, Lampe, LeVota, Low (39), McClanahan, Meadows, Oxford, Norr, Page, Scavuzzo, Swinger, Talboy, Yaeger, Zimmerman and Zweifel, relating to overtime compensation.

**HB 1440**, introduced by Representatives Roorda, Page, Baker (25), Chappelle-Nadal, Fallert, Frame, Lampe, Oxford and Yaeger, relating to requiring public officials to receive training in the requirements of open meetings and open records and public information laws.

**HB 1441**, introduced by Representatives Roorda and Lampe, relating to the law enforcement safety fund.

**HB 1442**, introduced by Representatives Roorda and Oxford, relating to motorcycle stunt driving.

**HB 1443**, introduced by Representatives Roorda, Harris (23) and Darrough, relating to solvents.

**HB 1444**, introduced by Representatives Roorda, Cox and McGhee, relating to property damage of a motor vehicle.

**HB 1445**, introduced by Representatives Roorda, Harris (23), McGhee and Bivins, relating to altering or falsifying drug or alcohol tests or test results.

**HB 1446**, introduced by Representatives Roorda and Holsman, relating to corrections officer and jailer training.

**HB 1447**, introduced by Representatives Roorda and Darrough, relating to noise ordinances.

**HB 1448**, introduced by Representatives Roorda and Bivins, relating to fire department employee residency requirements.

**HB 1449**, introduced by Representatives Roorda, McGhee, Bivins and Holsman, relating to the sale or consignment of certain emergency vehicles.

**HB 1450**, introduced by Representatives Roorda and McGhee, relating to the joint committee on terrorism, bioterrorism, and homeland security.

**HB 1451**, introduced by Representative Roorda, relating to the right to petition for a trial de novo.

**HB 1452**, introduced by Representative Roorda, relating to board members of fire protection and ambulance districts.

**HB 1453**, introduced by Representatives Roorda and Bivins, relating to county planning and zoning.

**HB 1454**, introduced by Representative Roorda, relating to health care professional peer review committees.

**HB 1455**, introduced by Representative Roorda, relating to storm water user fees.

**HB 1456**, introduced by Representatives Roorda, Oxford and Page, relating to the Agreement Among the States to Elect the President by National Popular Vote Act.

**HB 1457**, introduced by Representative Roorda, relating to incorporation of fire codes.

**HB 1458**, introduced by Representatives Roorda, Chappelle-Nadal, Bowman and Oxford, relating to the Reverend Nathaniel Cole memorial pursuit reduction grant.

**HB 1459**, introduced by Representatives Faith, Dusenberg and Holsman, relating to motorcycle operator's licenses.

**HB 1460**, introduced by Representative Schaaf, relating to tampering with a judicial officer.

**HB 1461**, introduced by Representatives Burnett, Talboy, Baker (25), Yaeger, Grill, Hughes and Lampe, relating to debt-management services.

**HB 1462**, introduced by Representatives Burnett, Lampe, Talboy, Oxford, Harris (23), Baker (25), Meiners, Norr, Yaeger, Whorton, Aull, Donnelly, Wildberger, Darrough and Hughes, relating to payday loans.

**HB 1463**, introduced by Representatives Nolte, Fisher, Onder, Ervin, Dusenberg, Yates, Cox, McGhee, Self, Jones (89), Kraus, Ruzicka, Emery, Nance and Ruestman, relating to prohibiting the admission of aliens unlawfully present in the United States at public institutions of higher education.

**HB 1464**, introduced by Representatives Nolte, Fisher, Onder, Ervin, Roorda, Cox, Ruzicka, Emery, Nance and Ruestman, relating to prohibiting the possession, use or abuse of certain substances and devices.

**HB 1465**, introduced by Representatives Nolte, Onder, Ervin, Meiners, Roorda, Cox, Emery and Ruestman, relating to payment of real property taxes.

**HB 1466**, introduced by Representatives Nolte, Onder, Cox, Nance and Ruestman, relating to taxpayer statements and receipts.

**HB 1467**, introduced by Representatives Nolte, Onder, Cunningham (86), Meiners, Portwood, Jones (89), Kraus, Ruzicka, Nance and Ruestman, relating to property assessments.

**HB 1468**, introduced by Representatives Pratt and McGhee, relating to the crime of endangering the welfare of a child.

**HB 1469**, introduced by Representative Pratt, relating to the administrative hearing commission.

**HB 1470**, introduced by Representative Nance, relating to moving traffic violations.

**HB 1471**, introduced by Representatives Cunningham (86), Jones (89), Nieves, Ruestman, Nolte, Brown (30), Stevenson, Davis and Scharnhorst, relating to the predictable property tax act.

**HB 1472**, introduced by Representatives Cunningham (86), Cox, Nieves, Ruestman, Jones (89), Scharnhorst, Schad, Sander, Stevenson, McGhee, Davis and Cooper (155), relating to informed consent for abortions.

**HB 1473**, introduced by Representatives Cunningham (86), Scharnhorst, Stevenson and Ruestman, relating to stealing.

**HB 1474**, introduced by Representatives Cunningham (86), Scharnhorst, Stevenson and Ruestman, relating to manufactured homes.

**HB 1475**, introduced by Representatives Cunningham (86), Nieves, Davis, Scharnhorst and Stevenson, relating to sales taxes on health and fitness centers.

**HB 1476**, introduced by Representatives Cunningham (86), Stevenson, Davis, Nieves, Scharnhorst and Sander, relating to teacher testing.

**HB 1477**, introduced by Representatives Cunningham (86), Cooper (155), Stevenson, Nieves, Ruestman, Sander, Wallace, Davis, Cox, Scharnhorst, Schad and McGhee, relating to public school teachers.

**HB 1478**, introduced by Representative Cunningham (86), relating to the unlawful transfer and possession of firearms and ammunition.

**HB 1479**, introduced by Representative Cunningham (86), relating to governing boards of certain educational institutions.

**HB 1480**, introduced by Representatives Cunningham (86), Day, Davis, Ruestman, Stevenson, Nieves, Scharnhorst and Cooper (155), relating to extracurricular competitive activities.

**HB 1481**, introduced by Representatives Wells, Pollock and Wilson (119), relating to resisting arrest.

**HB 1482**, introduced by Representatives Wells, Wilson (119), Pollock and Munzlinger, relating to utility vehicles.

**HB 1483**, introduced by Representatives Wells, Pollock and Sater, relating to noxious weed designations.

**HB 1484**, introduced by Representative Muschany, relating to repealing expired, sunset, terminated, and ineffective provisions of law.

**HB 1485**, introduced by Representatives Sater, Fisher, Holsman, Stevenson, Cunningham (86), Meiners, Whorton and Dusenberg, relating to an income tax deduction for alternative energy sources.

**HB 1486**, introduced by Representative Brown (30), relating to motor vehicle safety inspections.

**HB 1487**, introduced by Representatives Fallert, Robinson and Harris (110), relating to sexual offenders in state parks.

**HB 1488**, introduced by Representatives Donnelly, Storch, Bruns, Hodges, Talboy, Page, Roorda, Oxford, Sater, McGhee, Yaeger, Lampe, Norr, Zimmerman, Grill, Nasheed, Burnett, Zweifel, Whorton, Darrough, Wildberger, Aull and Schieffer, relating to criminal securities fraud.

**HB 1489**, introduced by Representatives Donnelly, Schoemehl, Yaeger, Aull and Darrough, relating to monitoring of drugs.

**HB 1490**, introduced by Representative Deeken, relating to the Missouri local government employees' retirement system.

**HB 1492**, introduced by Representative Smith (14), relating to the legal driving age.

**HB 1493**, introduced by Representative Bruns, relating to making a false declaration.

**HB 1494**, introduced by Representatives Bruns, Meadows and Corcoran, relating to gift certificates.

**HB 1495**, introduced by Representatives Bruns and Sater, relating to state aviation trust funds.

**HB 1496**, introduced by Representatives Bruns, Dusenberg, Fisher, McGhee and Ruestman, relating to price gouging during emergencies.

**HB 1497**, introduced by Representatives McGhee, Day, Meadows, Ruestman, Sander, Wallace, Roorda and Nance, relating to sheriffs.

**HB 1498**, introduced by Representatives McGhee, Schaaf, Stevenson, Roorda, Ruestman, Chappelle-Nadal and Guest, relating to certain parties being allowed to prosecute their claims and defenses without the assistance of an attorney.

**HB 1499**, introduced by Representative Cooper (120), relating to recycling of computer equipment.

**HB 1500**, introduced by Representative Hodges, relating to a memorial highway designation.

**HB 1501**, introduced by Representative Bruns, relating to transient guest taxes.



**HB 1502**, introduced by Representative Bruns, relating to resisting or interfering with arrest, detention, or stop.

**HB 1503**, introduced by Representative Bruns, relating to the Missouri capitol police.

**HB 1504**, introduced by Representatives Walton, Johnson, Nasheed, El-Amin, Haywood, Hoskins and Wright-Jones, relating to treatment of certain sexually transmitted diseases.

**HB 1505**, introduced by Representatives Smith (14), Funderburk, Faith, Onder, Davis, Schneider, Pratt, Tilley, Bivins, Meadows, Ruestman, Nance, Sander, Schieffer, Roorda and Darrough, relating to crimes of harassment.

**HB 1506**, introduced by Representatives Hughes, Meiners, Talboy, Oxford, Holsman and Lembke, relating to state purchasing.

**HB 1507**, introduced by Representatives Hughes, Talboy and Oxford, relating to repealing intervention fees for parolees.

**HB 1508**, introduced by Representatives Hughes, Talboy and Oxford, relating to an economic development grant program.

**HB 1509**, introduced by Representatives Hughes, Meiners, Talboy and Holsman, relating to title loans.

**HB 1510**, introduced by Representatives Darrough, Zweifel and Spreng, relating to alternative fuel and alternative fuel vehicles.

**HB 1511**, introduced by Representatives Kraus, Day, Flook, Nance, Bruns, McGhee, Grill, Nolte, Yates, Dusenberg, Cooper (155), Daus, Roorda, Munzlinger and Scharnhorst, relating to theft of electrical devices and utility property.

**HB 1512**, introduced by Representatives Kraus, Day, Flook, Nance, Bruns, McGhee, Grill, Nolte, Harris (110), Yates, Cooper (155), Daus, Roorda, Munzlinger and Scharnhorst, relating to scrap metal purchases.

**HB 1513**, introduced by Representatives Bruns, Roorda and Weter, relating to emergency drought conditions.

**HB 1514**, introduced by Representative Bruns, relating to alcohol and tobacco control.

**HB 1515**, introduced by Representatives Bruns, Sater, Day, Schad, Page, McGhee and Ruestman, relating to child visitation.

**HB 1516**, introduced by Representative Bruns, relating to protections for senior citizens, disabled persons, and children.

**HB 1517**, introduced by Representatives Cox, May, Day, Davis, Talboy, Dusenberg and McGhee, relating to the Andrew Jackson Vote Restoration Act.

**HB 1518**, introduced by Representative Cunningham (145), relating to tuition.

**HB 1519**, introduced by Representatives Nance, Weter, Cox, Hodges, Rucker and Daus, relating to motor vehicle registration notices.

**HB 1520**, introduced by Representatives Hodges, Harris (110), Lembke, Stevenson, Bivins, McGhee and Onder, relating to informed consent for abortions.

**HB 1521**, introduced by Representative Franz, relating to notaries public.

**HB 1522**, introduced by Representative Franz, relating to election watchers.

**HB 1523**, introduced by Representative Franz, relating to a tax credit for volunteer firefighters.

**HB 1524**, introduced by Representative Franz, relating to a quality rating system for child care facilities.

**HB 1525**, introduced by Representative Franz, relating to law enforcement rotation lists for towing truck companies.

**HB 1526**, introduced by Representatives Franz and Ruzicka, relating to nonpartisan elections.

**HB 1527**, introduced by Representatives Davis, Onder, Cox, Smith (14), Bivins and McGhee, relating to harassment.

**HB 1528**, introduced by Representative Bruns, relating to the office of administration.

**HB 1529**, introduced by Representative Bruns, relating to civil damages for injury to or death of law enforcement officers and firefighters.

**HB 1530**, introduced by Representatives Smith (14), Jones (117), Schad, Onder, Emery, McGhee, Grisamore, Deeken and Bruns, relating to unborn children.

**HB 1531**, introduced by Representatives McGhee, Ruestman, Smith (150), Schaaf, Guest, Brown (30), Grisamore, Schieffer and Bruns, relating to utility payments.

**HB 1532**, introduced by Representative Davis, relating to motorcycle headlight modulators.

**HB 1533**, introduced by Representative Davis, relating to traffic control signals.

**HB 1534**, introduced by Representatives Kingery, Davis, Fares, McGhee and Schad, relating to four-day school weeks.

**HB 1535**, introduced by Representatives Deeken, Bruns, Day, Grisamore, Ruestman and Hodges, relating to state employee payroll deductions for insurance premiums.

**HB 1536**, introduced by Representative Kraus, relating to restrictions on certain sexual offenders.

**HB 1537**, introduced by Representatives Jones (89), Schoeller, Cunningham (86), Emery, McGhee, Fisher, Darrough, Ruestman, Davis, Smith (150), Onder, Grisamore, Moore and Bivins, relating to registered sexual offenders.

**HB 1538**, introduced by Representatives Jones (89), Muschany, Nolte, Schoeller, Cunningham (86), Emery, McGhee, Fisher, Darrough, Munzlinger, Ruestman, Faith, Davis, Smith (150), Onder, Ruzicka, Grisamore, Moore and Bivins, relating to driver's license requirements.

**HB 1539**, introduced by Representatives Jones (89), Page, Schoeller, Grill, Fisher, Smith (150), Talboy, Zimmerman, Ruzicka, Grisamore, Moore and Bivins, relating to the disclosure of news sources and information.

**HB 1540**, introduced by Representatives Jones (89), Grill, Cox, Fisher, Ruestman, Schieffer, Smith (150), Talboy, Ruzicka, Grisamore, Moore and Bivins, relating to service of summons.

**HB 1541**, introduced by Representatives Jones (89), Cox, Fisher, Ruestman, Smith (150), Grisamore, Moore and Bivins, relating to annual judicial reports.

**HB 1542**, introduced by Representatives Jones (89), Fisher, Grisamore, Moore and Bivins, relating to special license plates for police chaplains.

**HB 1543**, introduced by Representatives Jones (89), Grill, Cunningham (86), Cox, Fisher, Smith (150), Ruzicka, Grisamore, Moore and Bivins, relating to driver's license renewals.

**HB 1544**, introduced by Representatives Jones (89), Fisher, Pratt, Grisamore, Moore and Bivins, relating to obtaining print instructional material in specialized formats.

**HB 1545**, introduced by Representatives Bruns and Skaggs, relating to public retirement systems.

**HB 1546**, introduced by Representative Schaaf, relating to infections.

**HB 1547**, introduced by Representatives Swinger, Witte and Kuessner, relating to the telemarketing no-call list.

**HB 1548**, introduced by Representative Scharnhorst, relating to sales and use tax.

**HB 1549**, introduced by Representatives Onder, Nolte, Ruestman, Nieves, Lembke, Portwood, Brown (30), Grisamore, Smith (14), Ervin, Jones (89), Harris (110), Cox, Bivins, Schieffer, Sater, Ruzicka, Muschany and Cunningham (86), relating to highway patrol enforcement of federal immigration laws.

**HB 1550**, introduced by Representatives Stevenson, Fisher, Day, Deeken, Cox, Bivins, Guest and Wilson (130), relating to juvenile courts.

**HB 1551**, introduced by Representatives Stevenson, Fisher, Ruestman, Sater, Cox, Schoeller and Bivins, relating to corporate income tax rates.

**HB 1552**, introduced by Representatives Stevenson, Fisher, Sater, Cox and Bivins, relating to prosecution of certain traffic-related offenses.

**HB 1553**, introduced by Representative Hughes, relating to assistance for the homeless.

**HB 1554**, introduced by Representative Hughes, relating to an income tax credit for contributions to certain nonprofit organizations.

**HB 1555**, introduced by Representative Hughes, relating to the labeling of food.

**HB 1556**, introduced by Representative Hughes, relating to adoption.

**HB 1557**, introduced by Representative Hughes, relating to the use of credit scores by insurance companies.

**HB 1558**, introduced by Representative Hughes, relating to the Missouri Universal Health Insurance Act.

**HB 1559**, introduced by Representative Hughes, relating to use of credit scores by employers.

**HB 1560**, introduced by Representative Kraus, relating to restrictions on certain sexual offenders.

**HB 1561**, introduced by Representatives LeVota, Burnett, Kraus, Yaeger, Roorda, Holsman, McGhee, Schieffer and Lampe, relating to the household child protect act.

**HB 1562**, introduced by Representatives LeVota, Burnett, Kraus, Yaeger, Roorda, Holsman, Grill and Schieffer, relating to a tax credit for military-related employees.

**HB 1563**, introduced by Representatives LeVota, Burnett, Roorda and Schieffer, relating to motor vehicles.

**HB 1564**, introduced by Representatives LeVota, Burnett, Roorda and Holsman, relating to repeal of the state safety inspection program.

**HB 1565**, introduced by Representatives LeVota, Burnett, Yaeger, Roorda, Holsman, Schieffer and Lampe, relating to victims of sexual abuse.

**HB 1566**, introduced by Representatives LeVota, Yaeger, Roorda, Holsman, Grill, McGhee, Schieffer, Dusenberg and Lampe, relating to dog fighting.

**HB 1567**, introduced by Representative Parson, relating to crimes against criminal justice officials.

**HB 1568**, introduced by Representative Hobbs, relating to regional economic development initiatives.

**HB 1569**, introduced by Representative Franz, relating to the county law enforcement restitution fund.

**HB 1570**, introduced by Representative Franz, relating to allowing the family services and justice fund to be used to fund guardian ad litem and informal adjustment services.

**HB 1571**, introduced by Representative Franz, relating to expanding the crime of resisting or interfering with arrest, stop, or detention by making it apply to all court authorized warrants and probation and parole warrants.

**HB 1572**, introduced by Representative Franz, relating to the consent or notice required of an unknown father.

**HB 1573**, introduced by Representative Franz, relating to collection of taxes.

**HB 1574**, introduced by Representatives Jones (117) and Parson, relating to sheriffs' retirement.

**HB 1575**, introduced by Representative Jones (117), relating to a memorial highway designation.

**HB 1576**, introduced by Representative Wasson, relating to the reorganization of the department of insurance, financial institutions and professional registration in accordance with executive order 06-04.

**HB 1577**, introduced by Representatives Schneider, Hubbard, Chappelle-Nadal, Sater, Cunningham (86), McGhee, Robb and Smith (150), relating to higher education scholarships.

**HB 1578**, introduced by Representatives Holsman, Daus, McGhee, Walton, Oxford, Roorda, Talboy, Bowman, Meiners, Hodges, Grill, Storch, Shively, McClanahan, Harris (110), Chappelle-Nadal, Low (39), Darrough, Bivins and LeVota, relating to the solar and wind initiative program.

**HB 1579**, introduced by Representatives Nance and Moore, relating to volunteer firefighter job protection.

**HB 1580**, introduced by Representatives Bruns and Meadows, relating to tobacco products.

**HB 1581**, introduced by Representatives Pearce, Fisher, Nance, Portwood, Aull, Dusenberg, Roorda, Cunningham (86), Corcoran, McGhee, Jones (89), Harris (110), Darrough, Page and Ruestman, relating to overtime compensation.

**HB 1582**, introduced by Representatives Pearce, LeVota, Fisher, Nance, Portwood, Bruns, Grill, Yates, Roorda, Cunningham (86), Dusenberg, Aull, Loehner, McGhee, Harris (110), Darrough, Ruestman, Whorton and Bivins, relating to the telemarketing no-call list.

**HB 1583**, introduced by Representatives Pearce, Fisher, Bruns, Darrough, Ruestman and Bivins, relating to sex offender treatment facilities.

**HB 1584**, introduced by Representatives Loehner and Bivins, relating to the collection of fees.

**HB 1585**, introduced by Representatives Baker (123) and Scavuzzo, relating to duties of the public service commission.

**HB 1586**, introduced by Representative Baker (123), relating to state buildings.

**HB 1587**, introduced by Representative Tilley, relating to disqualification from jury service.

**HB 1588**, introduced by Representative Baker (123), relating to state board of embalmers and funeral directors.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1471**.

#### SENATE RESOLUTION NO. 1471

BE IT RESOLVED by the Senate, that the Secretary of the Senate inform the House of Representatives that the Senate of the Second Regular Session of the Ninety-fourth General Assembly is duly convened and is now in session and ready for consideration of business.

### **COMMITTEE ASSIGNMENT**

January 9, 2008

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, House Post Office  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

Pursuant to Section 208.952, RSMo., I am appointing the following Representatives to serve on the Joint Committee on MO Health Net:

Representative Allen Icet  
Representative David Sater  
Representative Rob Schaaf  
Representative Judy Baker  
Representative Margaret Donnelly

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton  
Speaker

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Donnelly is no longer a member of the Elections Committee.

Representative Flook has been appointed to the Joint Committee on Administrative Rules.

Representative Frame has been appointed to the Elections Committee.

Representative Hunter has been appointed to the Rules Committee.

Representative Jones (89) has been appointed to the Joint Committee on Legislative Research.

Representative Kuessner is no longer a member of the Health Care Policy Committee.

Representative Komo has been appointed to the Appropriations - Transportation and Economic Development Committee.

Representative Lampe is no longer a member of the Special Committee on Retirement and has been appointed to the Budget Committee and the Special Committee on Utilities.

Representative LeVota is no longer a member of the Budget Committee and the Special Committee on Utilities.

Representative Pratt has been appointed to the Joint Committee on Legislative Research.

Representative Silvey has been appointed Vice-chair of the Appropriations - General Administration Committee.

Representative Swinger is no longer a member of the Appropriations - Transportation and Economic Development Committee and has been appointed to the Health Care Policy Committee.

Representative Zimmerman has been appointed to the Special Committee on Job Creation and Economic Development.

### **WITHDRAWAL OF HOUSE BILLS**

December 5, 2007

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request that **House Bill No. 1322** be withdrawn.

Thank you for your consideration.

Sincerely,

/s/ Mike Thomson

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TO: The Honorable Adam Crumbliss  
Office of the Chief Clerk

FROM: Rep. Michael L. Cunningham

DATE: December 20, 2007

SUBJECT: **House Bill No. 1362**

I would like to withdraw **House Bill No. 1362**. Thanks for your assistance to this request.

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December 12, 2007

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Adam:

I respectfully request **House Bill No. 1379**, relating to sexual offenders in state parks, be withdrawn.

Thank you for your assistance.

Sincerely,

/s/ Joseph Fallert, Jr.  
State Representative  
District 104

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DATE: January 8, 2008

TO: Chief Clerk Adam Crumbliss

FROM: Representative Bill Deeken

SUBJECT: Withdraw **House Bill No. 1491**

I am respectfully requesting that **House Bill No. 1491** regarding hearing instrument purchase agreements be withdrawn.

Thank you for your consideration of this request.

The following members' presence was noted: Bland, Cooper (120), Johnson and Low (39).



## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, January 10, 2008.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 15, 2008, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget overview.

Committee will reconvene at 1:00 p.m.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget overview.

Committee will reconvene at 1:00 p.m.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, January 14, 2008, 3:00 p.m. Hearing Room 1.

Quarterly business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT - SUBCOMMITTEE**

Monday, January 14, 2008, 2:00 p.m. Hearing Room 6.

Request for Proposal (RFP).

## **HOUSE CALENDAR**

SECOND DAY, THURSDAY, JANUARY 10, 2008

### **HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 39 through HJR 53

### **HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

1 HB 2015

2 HB 2021

3 HB 2022

### **HOUSE BILLS FOR SECOND READING**

1 HB 1299 through HB 1321

2 HB 1323 through HB 1361

3 HB 1363 through HB 1378

4 HB 1380 through HB 1490

5 HB 1492 through HB 1588

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SECOND DAY, THURSDAY, JANUARY 10, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

*Sing joyfully to the Lord, all you lands,  
Serve the Lord with gladness.  
(Psalm 100:1-2)*

Indeed, let us praise the Lord, and serve Him this day.

We thank You, our God, for bringing us to this second day of the 2008 Session of the Missouri House of Representatives. We thank You for the people who have sent us here and for the trust they have placed in us. Give us the grace and the courage never to betray that trust.

O Lord, give us a spirit of service that finds us always looking beyond personal gain, and beyond the districts we represent, to the common good. Lord, give us the vision to see what is the common good.

Finally, we pray for an integrity so great that, in serving the people, we are, at the same time, serving You.

We give You praise, and pray to You at this hour, for You are our Lord, our God, now and forever.

Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Patricia Stangl.

The Journal of the first day was approved as printed by the following vote:

AYES: 150

Aull	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes

Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 004

Avery	Bland	Bowman	Bringer
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VACANCIES: 004

## HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 26.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 27 through House Resolution No. 61

## HOUSE CONCURRENT RESOLUTIONS

Representative Scavuzzo offered House Concurrent Resolution No. 8.

Representative Walton, et al., offered House Concurrent Resolution No. 9.

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 39** through **HJR 53** were read the second time.

**SECOND READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 2015, HB 2021** and **HB 2022** were read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 1299** through **HB 1321**, **HB 1323** through **HB 1361**, **HB 1363** through **HB 1378**, **HB 1380** through **HB 1490**, and **HB 1492** through **HB 1588** were read the second time.

**COMMUNICATION**

January 10, 2008

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby change the name of the Special Committee on Healthcare Facilities to the Special Committee on Healthcare Transformation.

If you have any questions, please feel free to contact my office.

Sincerely,

/s/ Rod Jetton

**REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred the Committee indicated:

**HJR 46** - Elections

**HJR 48** - Special Committee on Immigration

**REFERRAL OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were referred to the Committee indicated:

**HB 2015** - Budget

**HB 2021** - Budget

**HB 2022** - Budget

**REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1299** - Transportation

**HB 1302** - Health Care Policy

**HB 1303** - Health Care Policy  
**HB 1304** - Local Government  
**HB 1305** - Special Committee on Student Achievement  
**HB 1307** - Special Committee on Veterans  
**HB 1309** - Transportation  
**HB 1310** - Elections  
**HB 1311** - Elections  
**HB 1312** - Transportation  
**HB 1313** - Special Committee on Veterans  
**HB 1314** - Elementary and Secondary Education  
**HB 1315** - Higher Education  
**HB 1316** - Special Committee on Family Services  
**HB 1318** - Special Committee on Workforce Development and Workplace Safety  
**HB 1320** - Special Committee on Urban Education Reform  
**HB 1321** - Ways and Means  
**HB 1324** - Elections  
**HB 1325** - Special Committee on Professional Registration and Licensing  
**HB 1326** - Special Committee on Energy and Environment  
**HB 1327** - Special Committee on Family Services  
**HB 1331** - Special Committee on Health Insurance  
**HB 1332** - Special Committee on Healthcare Transformation  
**HB 1333** - Agriculture Policy  
**HB 1341** - Special Committee on Health Insurance  
**HB 1342** - Special Committee on Financial Institutions  
**HB 1344** - Special Committee on Small Business  
**HB 1345** - Ways and Means  
**HB 1347** - Special Committee on Senior Citizen Advocacy  
**HB 1348** - Crime Prevention and Public Safety  
**HB 1350** - Special Committee on Health Insurance  
**HB 1352** - Crime Prevention and Public Safety  
**HB 1354** - Transportation  
**HB 1357** - Special Committee on Family Services  
**HB 1365** - Special Committee on Senior Citizen Advocacy  
**HB 1367** - Ways and Means  
**HB 1368** - Higher Education  
**HB 1369** - Budget  
**HB 1371** - Special Committee on Rural Community Development  
**HB 1372** - Corrections and Public Institutions  
**HB 1373** - Corrections and Public Institutions  
**HB 1374** - Elementary and Secondary Education  
**HB 1378** - Special Committee on Job Creation and Economic Development  
**HB 1380** - Special Committee on Senior Citizen Advocacy  
**HB 1382** - Crime Prevention and Public Safety  
**HB 1385** - Special Committee on Financial Institutions  
**HB 1386** - Special Committee on Healthcare Transformation  
**HB 1393** - Special Committee on Homeland Security  
**HB 1398** - Health Care Policy

**HB 1415** - Local Government  
**HB 1416** - Special Committee on Tourism  
**HB 1418** - Special Committee on Professional Registration and Licensing  
**HB 1419** - Special Committee on Professional Registration and Licensing  
**HB 1423** - Transportation  
**HB 1424** - Special Committee on Workforce Development and Workplace Safety  
**HB 1425** - Special Committee on Agri-business  
**HB 1426** - Special Committee on Utilities  
**HB 1430** - Special Committee on Utilities  
**HB 1438** - Special Committee on State Parks and Waterways  
**HB 1446** - Corrections and Public Institutions  
**HB 1447** - Local Government  
**HB 1448** - Local Government  
**HB 1450** - Special Committee on Homeland Security  
**HB 1456** - Local Government  
**HB 1463** - Special Committee on Immigration  
**HB 1465** - Special Committee on Government Affairs  
**HB 1466** - Special Committee on Government Affairs  
**HB 1470** - Local Government  
**HB 1479** - Higher Education  
**HB 1480** - Special Committee on Student Achievement  
**HB 1483** - Agriculture Policy  
**HB 1485** - Special Committee on Energy and Environment  
**HB 1486** - Special Committee on General Laws  
**HB 1490** - Special Committee on Retirement  
**HB 1494** - Special Committee on Small Business  
**HB 1499** - Special Committee on Energy and Environment  
**HB 1501** - Special Committee on Tourism  
**HB 1506** - Special Committee on Urban Issues  
**HB 1507** - Special Committee on Urban Issues  
**HB 1508** - Special Committee on Job Creation and Economic Development  
**HB 1518** - Special Committee on Veterans  
**HB 1524** - Special Committee on Family Services  
**HB 1531** - Special Committee on Utilities  
**HB 1535** - Insurance Policy  
**HB 1538** - Special Committee on Immigration  
**HB 1544** - Special Committee on Student Achievement  
**HB 1545** - Special Committee on Retirement  
**HB 1568** - Special Committee on Job Creation and Economic Development  
**HB 1574** - Special Committee on Retirement  
**HB 1578** - Conservation and Natural Resources  
**HB 1579** - Special Committee on Rural Community Development

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 54**, introduced by Representatives Kingery, Sater, Roorda, Dusenberg, Baker (25), Wells, Fares, Scharnhorst, Schad, Sander, Loehner, Dougherty, Whorton, Wilson (119), Corcoran, Nance, Jones (117), Avery, Young, Nieves, Meadows, Denison, Schlottach and McGhee, relating to the general assembly.

**HJR 55**, introduced by Representatives McGhee, Day, Brown (30), Dethrow, Grisamore, Ruestman, Lembke, Portwood, Thomson, Wilson (119), Moore, Jones (89), Deeken, Fisher, Nieves, Sander, Pratt, Funderburk, Harris (110) and Brown (50), relating to the right to pray.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1589**, introduced by Representatives Munzlinger, Nance, Ruzicka, Onder, Sander and Dusenberg, relating to commercial vehicle inspectors and enforcement officers.

**HB 1590**, introduced by Representatives Munzlinger, Fisher, Dougherty and Sander, relating to the administration of agriculture incentives and programs.

**HB 1591**, introduced by Representative Lipke, relating to the crime of driving with a controlled substance in a person's body.

**HB 1592**, introduced by Representative Lipke, relating to a prescription drug monitoring program.

**HB 1593**, introduced by Representative Lipke, relating to the operation of a vessel with excessive blood alcohol content.

**HB 1594**, introduced by Representatives Lipke and May, relating to resisting or interfering with arrest, detention, or stop.

**HB 1595**, introduced by Representatives Swinger, Kuessner, Witte, Harris (110), Brown (30), Wright, Tilley, Jetton, Parson and Robinson, relating to a tax credit for storm shelters.

**HB 1596**, introduced by Representatives May, Wallace, Deeken, Nance, Ruestman, Cox and Schad, relating to research, development, and office park projects of the University of Missouri.

**HB 1597**, introduced by Representatives Robb, Moore and Cox, relating to radioactive waste.

**HB 1598**, introduced by Representatives Sater, Ruestman and Bivins, relating to sales tax exemptions.

**HB 1599**, introduced by Representative Sater, relating to the state legal expense fund.

**HB 1600**, introduced by Representatives Davis, Chappelle-Nadal, Harris (110), Portwood, Sander, Dougherty, Fisher, Moore, Oxford, Schad, Walton, Emery, Nieves, Low (39) and Jones (117), relating to midwifery.

**HB 1601**, introduced by Representative Bringer, relating to controlled substances.

**HB 1602**, introduced by Representative Bringer, relating to lobbyist gifts.

**HB 1603**, introduced by Representative Bringer, relating to transfers of real property to counties.

**HB 1604**, introduced by Representative Bringer, relating to foster care tuition waivers.

**HB 1605**, introduced by Representative Bringer, relating to driver's licenses.

**HB 1606**, introduced by Representative Bringer, relating to the telemarketing no-call list.

**HB 1607**, introduced by Representatives Lampe, Shively, Norr, Harris (110), Baker (25), Quinn (9), Hodges, Dougherty, Haywood, Wright-Jones, Daus, Villa, Storch, Hughes, Skaggs, Schoemehl, Aull, McClanahan, George, Burnett, Scavuzzo, Todd, Zimmerman, Rucker, Wildberger, Oxford, Nasheed, Casey, Vogt, Norr, Darrough, Brown (50), Yaeger, Fallert, Donnelly, Robinson, Komo, Walsh, Page, LeVota, Whorton, Schieffer, Meadows and Kuessner, relating to incorporation of cities.

**HB 1608**, introduced by Representative Ervin, relating to preservation of county documents.

**HB 1609**, introduced by Representatives Cooper (155), Schad, Stevenson, Emery and Onder, relating to emergency triage guidelines for care.

**HB 1610**, introduced by Representatives Cooper (155), Schad, Franz, Jones (117), Cunningham (86), George, Brown (50), Muschany, Jones (89), Walton and Stevenson, relating to water safety.

**HB 1611**, introduced by Representatives Dixon, Wasson, Grisamore, Yaeger, Sander, Dougherty, Ruestman, Cooper (155), Norr and Schoeller, relating to a children's bill of courtroom rights.

**HB 1612**, introduced by Representatives Bowman, Roorda, Schieffer, Wright-Jones and Oxford, relating to urban revitalization.

**HB 1613**, introduced by Representatives Bowman, Fallert, Roorda, Wright-Jones and Oxford, relating to trade agreements.

**HB 1614**, introduced by Representatives Bowman, Roorda, Talboy, Oxford, Rucker, Hughes, Wright-Jones and Daus, relating to the creation of a death penalty commission.

**HB 1615**, introduced by Representatives Bowman, Oxford, Johnson, Bland, Haywood, Rucker, Brown (50) and Darrough, relating to the prostate cancer pilot program.



**HB 1616**, introduced by Representatives Ruzicka, Viebrock, Wilson (119), Thomson, Smith (150), Schneider, Wood, Shively and Tilley, relating to real estate brokers.

**HB 1617**, introduced by Representatives Cunningham (86) and Cunningham (145), relating to irrevocable life insurance trusts.

**HB 1618**, introduced by Representatives Jones (117), Cunningham (86), Parson, Roorda, Grisamore, Ruestman, Bruns, Nolte, Holsman, Baker (25), Portwood, Baker (123), Wasson, Harris (110), Walton, Loehner, Brown (30), Faith, Jones (89), Meadows, Komo, Wright, Onder, Fares, Bivins, Moore, Yaeger, Schad, McGhee and Scavuzzo, relating to identity theft protection.

**HB 1619**, introduced by Representatives Jones (117), Parson, Roorda, Ruzicka, Grisamore, Bruns, Harris (110), Loehner, Faith, Jones (89), Meadows, Robb, Wright, Onder, Schad and Smith (150), relating to maintenance of a logbook for pseudoephedrine purchases.

**HB 1620**, introduced by Representatives Jones (117), Tilley, Pollock, McClanahan, Munzlinger, LeVota, Quinn (7), Grisamore, Quinn (9), Harris (110), Deeken, Parson, Ruzicka, Bruns, Baker (25), Faith, Meadows, Robb, Whorton, Wright, Fares, Hodges, Fisher, Weter, Moore, Schieffer, Lowe (44), Skaggs, Scharnhorst, Wilson (119), Threlkeld, Brandom, Schoeller, Smith (150), Denison, Stevenson, Schad, Cooper (120), Lembke, Meiners, Wildberger, Todd, Low (39), Darrough, Aull, Dougherty, Schoemehl, Walsh, Salva, Frame, Fallert, Loehner, Chappelle-Nadal, Hunter, Dixon, May, Thomson, McGhee, Kuessner and Icet, relating to advanced practice registered nurses.

**HB 1621**, introduced by Representative Yates, relating to the tort victims' compensation fund.

**HB 1622**, introduced by Representative Bringer, relating to obstruction of justice.

**HB 1623**, introduced by Representative Franz, relating to expanding the use of funds from surcharges in civil cases for courthouse security purposes.

**HB 1624**, introduced by Representative Dusenberg, relating to contracts.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Brandom is no longer a member of the Special Committee on Tax Reform and has been appointed Vice-chair of the Special Committee on Job Creation and Economic Development and a member of the Special Committee on Financial Institutions.

Representative Cox has been appointed a member of the Judiciary Committee.

Representative Ervin has been appointed a member of the Special Committee on Healthcare Transformation.

Representative Jones (89) has been appointed Chair of the Special Committee on General Laws.

Representative Pratt is no longer a member of the Judiciary Committee.

Representative Smith (150) is no longer a member of the Special Committee on Job Creation and Economic Development.

Representative Smith (14) has been appointed Chair of the Special Committee on Tax Reform.

Representative Stevenson is no longer Chair of the Special Committee on Tax Reform and has been appointed Chair of the Judiciary Committee.

Representative Tilley is no longer a member of the Special Committee on General Laws, Special Committee on Financial Institutions and the Special Committee on Healthcare Transformation, and has been appointed Chair of the Ethics Committee.

The following members' presence was noted: Bland, Bowman and Bringer.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday January 14, 2008.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 16, 2008, 1:00 p.m. Hearing Room 7.

Public testimony for the Departments of Agriculture, Natural Resources and Conservation.

To testify please contact Helen or Phyllis at 573-751-3972.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 15, 2008, 8:00 a.m. Hearing Room 1.

Organizational meeting and informational topics.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring the University of Missouri Science and Technology campus, facilities and various programs.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, January 16, 2008, One hour and fifteen minutes after adjournment.

412 W. Broadway, New Franklin, MO.

Committee will visit e-MINTS classrooms in the New Franklin School District and will visit the University of Missouri Center for Agroforestry.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 15, 2008, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget overview.

Committee will reconvene at 1:00 p.m.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget overview.

Committee will reconvene at 1:00 p.m.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring University of Missouri Science and Technology Campus, facilities and various programs.

**BUDGET**

Monday, January 14, 2008, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2015, HB 2021, HB 2022

**HIGHER EDUCATION**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring University of Missouri Science and Technology campus, facilities and various programs.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, January 14, 2008, 3:00 p.m. Hearing Room 1.

Quarterly Business Meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT - SUBCOMMITTEE**

Monday, January 14, 2008, 2:00 p.m. Hearing Room 6.

Request for Proposal (RFP).

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, January 14, 2008, 2:00 p.m. Hearing Room 5.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. Committee will reconvene upon adjournment.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, January 15, 2008, 12:00 p.m. Hearing Room 5.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, January 16, 2008, 12:00 p.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 17, 2008, 8:00 a.m. Hearing Room 7.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. Committee will reconvene upon adjournment if needed.

**TRANSPORTATION**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring University of Missouri Science and Technology campus, facilities and various programs.

**HOUSE CALENDAR**

THIRD DAY, MONDAY, JANUARY 14, 2008

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 54 and HJR 55

**HOUSE BILLS FOR SECOND READING**

HB 1589 through HB 1624

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRD DAY, MONDAY, JANUARY 14, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, as we begin this first full week of this legislative session, we dare not venture into the uncertainty of our tasks without acknowledging Your presence.

You've granted us safe passage once again, strengthened our minds and bodies, empowered us with the necessary knowledge to pass purposeful law, surrounded us with wise counsel and blessed us with supportive families. How can we not first give thanks.

Father God, grant us success today and throughout this week as we faithfully take up the business at hand. Help us to listen attentively and seriously examine each point of view presented before this body.

Now unto Him who is able to keep us from stumbling and in acknowledgment of Your presence, we ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the second day was approved as printed by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Bowman
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	Grill	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Hunter	Icet	Johnson	Jones 89
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer

Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 004

Daus	Flook	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 014

Avery	Bland	Corcoran	El-Amin	Grisamore
Harris 23	Hubbard	Jones 117	McGhee	Meadows
Stevenson	Walton	Wells	Wright-Jones	

VACANCIES: 004

## HOUSE RESOLUTION

Representative Davis offered House Resolution No. 62.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 63 through House Resolution No. 94

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 54** and **HJR 55** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1589** through **HB 1624** were read the second time.

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 1595** - Special Committee on General Laws

## RE-REFERRAL OF HOUSE BILLS

The following House Bills were re-referred to the Committee indicated:

**HB 1310** - Special Committee on Urban Education Reform

**HB 1311** - Special Committee on Urban Education Reform

**HB 1365** - Ways and Means

## COMMITTEE REPORTS

**Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2015**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2021**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2022**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 56**, introduced by Representatives Emery, Davis, Muschany, Lembke, Ervin, Sander, Sater, Ruestman, Day, Schaaf, Deeken, Icet, Smith (14), Dusenberg, Brown (30), Dougherty, Schad, Loehner, Faith, McGhee, May, Munzlinger, Viebrock, Threlkeld, Wright, Wells, Scharnhorst, Wallace, Thomson, Hunter, Nance and Schoeller, relating to impeachment trials.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1625**, introduced by Representatives Emery, Davis, Muschany, Fisher, Baker (123), Onder, Nance, Sander, Lembke, Ruestman, Sater, Wilson (119), Cooper (155), Bivins, Icet, Schad, Funderburk and McGhee, relating to the right of pharmacies regarding abortifacients.

**HB 1626**, introduced by Representatives Emery, Lembke, Yates, Nieves, Davis, Jones (117), Dougherty, Ervin, Ruzicka, Schaaf, Fisher, Onder, Sander, Ruestman, Wilson (130), Portwood, Dusenberg, Cooper (155), Bivins, Brown (30), Icet, Jones (89), Schad, Funderburk, Nolte and McGhee, relating to public assistance for illegal immigrants.

**HB 1627**, introduced by Representatives Portwood, Deeken, Baker (25), Onder, Roorda, Avery, Ruestman, Bruns, Dougherty, Sander, Faith, Funderburk, Brown (50) and McGhee, relating to the term "mental retardation" as used by the division of mental retardation and developmental disabilities.

**HB 1628**, introduced by Representative Cooper (120), relating to alternative fuel decals.

**HB 1629**, introduced by Representatives Dixon, Schoeller, Denison, Marsh, Lampe, Norr, Cunningham (145) and Viebrock, relating to circuit court judges.

**HB 1630**, introduced by Representatives Bruns, Grill, Roorda, Cox, Dusenberg, Page, Moore and Schad, relating to compensation for public safety workers killed in the line of duty.

**HB 1631**, introduced by Representative Parson, relating to salvage vehicles.

**HB 1632**, introduced by Representatives Wildberger, Roorda, Darrough, Schieffer and Oxford, relating to unlawful employment practices.

**HB 1633**, introduced by Representatives Wildberger, Kuessner, LeVota, Meiners, Roorda, Whorton, Darrough, Grill, Komo, Harris (23), Harris (110), Schieffer and Oxford, relating to the telemarketing no-call list.

**HB 1634**, introduced by Representatives Wildberger, Roorda, Darrough and Schieffer, relating to the registered surgical technologist title protection act.

**HB 1635**, introduced by Representatives Wildberger, Roorda, Darrough, Schieffer and Harris (110), relating to release of personal information to unauthorized persons.

**HB 1636**, introduced by Representatives Jones (117), Roorda, Grisamore, Bruns, Walton, Brown (30), Onder and Bivins, relating to natural gas safety penalties.

**HB 1637**, introduced by Representatives Bruns, Roorda, Nance, Ervin, Cox, Ruestman, Faith, Page, Bivins, Moore, Schad and McGhee, relating to furnishing pornographic material to minors.

**HB 1638**, introduced by Representatives Bruns, Roorda, Nance, Ervin, Cox, Dusenberg, Ruestman, Faith, Page, Bivins, Moore, Schad and McGhee, relating to furnishing pornographic material to minors.

**HB 1639**, introduced by Representatives Bruns, Richard, Robb, Threlkeld, Pearce, Lipke, Tilley, Schlottach and Sater, relating to the state aviation trust fund.

**HB 1640**, introduced by Representatives Schoeller and Cooper (155), relating to birth certificates.

**HB 1641**, introduced by Representatives Burnett, Talboy, Grill, Nance, Curls, Schieffer, Oxford, Lembke, Dougherty, Salva, Yaeger, Hughes, George, Kuessner, Emery, Cooper (120), Bivins, Flook, Zimmerman and Bringer, relating to driver's license suspensions.



### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Onder has been appointed to the Rules Committee.

Representative Pratt has been appointed to the Rules Committee.

Representative Richard is no longer a member of the Rules Committee.

Representative Tilley has been appointed to the Rules Committee.

### **COMMUNICATION**

January 9, 2008

Honorable Rod Jetton, Speaker  
Missouri House of Representatives  
State Capitol, Room 308  
Jefferson City, MO 65101

Speaker Jetton:

It is with mixed emotion and much forethought that I tender my resignation from the Missouri House of Representatives, District 70. I find it in the best interest of my family, the constituents from District 70, whom it has been my honor to serve since 2001, and this honorable body that my resignation become effective January 31, 2008.

Sincerely,

/s/ John L. Bowman, Sr.

### **WITHDRAWAL OF HOUSE BILLS**

January 10, 2008

D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss,

This letter is to inform you of my intent to withdraw **House Bill No. 1495**.

Please contact me if you have any questions.

Sincerely,

/s/ Mark J. Bruns

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January 10, 2008

D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss,

This letter is to inform you of my intent to withdraw **House Bill No. 1501**.

Please contact me if you have any questions.

Sincerely,

/s/ Mark J. Bruns

The following members' presence was noted: Bland, El-Amin, Grisamore, Hubbard, Jones (117), McGhee, Wells and Wright-Jones.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m. Tuesday, January 15, 2008.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 16, 2008, 1:00 p.m. Hearing Room 7.

Public testimony for the Departments of Agriculture, Natural Resources, and Conservation.

To testify please contact Helen or Phyllis at 573-751-3972.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 15, 2008, 8:00 a.m. Hearing Room 1.

Organizational meeting and informational topics.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring the Missouri University Science and Technology campus, facilities and various programs.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, January 16, 2008, One hour and fifteen minutes after adjournment.

412 W. Broadway, New Franklin, MO.

Committee will visit e-MINTS classrooms in the New Franklin School District and will visit the University of Missouri Center for Agroforestry.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 15, 2008, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget overview.

Committee will reconvene at 1:00 p.m.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget overview.

Committee will reconvene at 1:00 p.m.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 3.

Presentation on Interoperable Communications between Emergency Personnel will be given.

Executive session may follow.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring Missouri University Science and Technology Campus, facilities and various programs.

**HIGHER EDUCATION**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring Missouri University Science and Technology campus, facilities and various programs.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 6.

Specialty License Plate Applications: Rocky Mount Elk Foundation,  
MO Park and Recreation Assoc., MO Assoc. of Realtors.

Request for Proposal (RFP).

**RULES - PURSUANT TO RULE 25(21)(f)**

Tuesday, January 15, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2015, HB 2021, HB 2022

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, January 15, 2008, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearing to be held on: HB 1425

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, January 15, 2008, 12:00 p.m. Hearing Room 5.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, January 16, 2008, 12:00 p.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 17, 2008, 8:00 a.m. Hearing Room 7.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Committee will reconvene upon adjournment if needed.

**TRANSPORTATION**

Tuesday, January 15, 2008, One hour and fifteen minutes after adjournment.

Haevner Center, 1346 University Drive, Rolla, MO.

Committee will be guests touring Missouri University Science and Technology campus, facilities and various programs.

**TRANSPORTATION**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 1299, HB 1309, HB 1312, HB 1354

**HOUSE CALENDAR**

FOURTH DAY, TUESDAY, JANUARY 15, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 56

**HOUSE BILLS FOR SECOND READING**

HB 1625 through HB 1641

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FOURTH DAY, TUESDAY, JANUARY 15, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray.

We stand before you, Almighty God,  
Conscious of our personal sinfulness and failings,  
But aware of your available mercy.

Guide us by your wisdom,  
Support us by your power.

You desire justice for all.  
Enable us to uphold the rights of others;  
Do not allow us to be misled by ignorance  
Or corrupted by fear or favor.

Unite us to yourself in the bond of love  
And keep us faithful to all that is true.

*(Adapted from BOOK OF BLESSINGS)*

We will end this day giving careful attention to the state of our State; we pray for all the people of the State of Missouri. May we serve them with great strength in leadership and with caring in our hearts. We pray to You, Almighty God. You live and reign forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ryan Viebrock.

The Journal of the third day was approved as printed.

## SPECIAL RECOGNITION

The Blair Oaks Falcons High School Baseball Team was introduced by Representative Bruns and recognized for attaining the Class 2 State Championship.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 56** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1625** through **HB 1641** were read the second time.

## MOTION

Representative Tilley moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Casey	Chappelle-Nadal	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel

NOES: 010

Brown 50	Burnett	Daus	Flook	George
Holsman	Hunter	Low 39	Skaggs	Talboy

PRESENT: 000

ABSENT WITH LEAVE: 008

Bowman	Cooper 155	Donnelly	Harris 23	McClanahan
St. Onge	Vogt	Walton		

VACANCIES: 004

On motion of Representative Tilley, the House recessed until 6:30 p.m.

### **EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Jetton.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 95 through House Resolution No. 117

### **ESCORT COMMITTEES**

The Speaker appointed the following committee to escort Lieutenant Governor Peter Kinder and members of the Senate to the dais: Representatives Lipke, Wasson, Guest, Deeken, Avery, Villa, Hubbard, Wright-Jones, Skaggs and Aull.

The Speaker appointed the following committee to escort His Excellency Governor Matt Blunt to the dais: Representatives Fares, Portwood, Quinn (7), May, Pearce, Hoskins, Grill, Walton, Salva and Young.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 1**.

The President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 1**: Senators Gibbons, Shields, Coleman, Loudon, Stouffer, Ridgeway, Kennedy, Wilson, Shoemyer and Barnitz.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 2**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCR 3**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has replaced Senator Ridgeway with Senator Nodler on the escort committee established by **HCR 1**.

**JOINT SESSION**

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Missouri State Highway Patrol, Troop F Color Guard, presented the Colors and the Pledge of Allegiance to the flag was recited.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 032

Barnitz	Bartle	Bray	Callahan	Champion
Clemens	Coleman	Crowell	Days	Dempsey
Engler	Gibbons	Goodman	Graham	Griesheimer
Justus	Kennedy	Koster	Lager	Loudon
Mayer	McKenna	Nodler	Purgason	Rupp
Scott	Shields	Shoemyer	Smith	Stouffer
Vogel	Wilson			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 002

Green	Ridgeway
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VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 138

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer



Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Villa
Wallace	Walsh	Walton	Wasson	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 006

Bowman	Chappelle-Nadal	George	Holsman	Low 39
Talboy				

PRESENT: 002

Darrough	Whorton
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ABSENT WITH LEAVE: 013

Baker 25	Burnett	Daus	Donnelly	Hunter
Lowe 44	Meiners	Pollock	Schneider	Threlkeld
Viebrock	Vogt	Wells		

VACANCIES: 004

The Doorkeeper announced the approach of the Honorable Matt Blunt, Governor of the State of Missouri. The Governor was duly escorted to the House Chamber and the Speaker's dais, where he delivered the following message to the Assembly in Joint Session.

**STATE OF THE STATE ADDRESS  
BY  
GOVERNOR MATT BLUNT**

**CHANGE THAT IS WORKING**

Lt. Governor Kinder, President Pro Tem Gibbons, Speaker Jetton, distinguished officials, judges of the Supreme Court, members of the General Assembly, Reverend Clergy, my fellow Missourians:

Just over 200 years ago, Lewis and Clark returned with their band of rugged explorers to tell the nation, and the world, about the treasures west of the Mississippi. Our state was the first of those treasures.

As the world looked to America, America looked to Missouri. Soon, our state was being settled by hard-working, independent, prudent, faithful, optimistic Americans. By 1904, the character of Missourians was widely-known. As the world descended on St. Louis for the Louisiana Purchase Exposition, visitors were treated to "The State of Missouri," a book which described the spirit of our state as "the spirit of progress, tempered by conservatism." And the "spirit of a community, conscious of its own secure position...hospitable, generous, brave."

The spirit of Missouri has held fast. Missourians remain independent, hospitable, generous, and brave. We cherish individualism, tempered by the bonds of community and the Heartland values of faith, family, and freedom. We are practical. We seek solutions.

Missourians want and deserve government that reflects Missouri values, government which rewards work and responsibility, encourages creativity, protects law-abiding citizens, spends tax dollars wisely, and helps those who cannot help themselves.

Unfortunately, that is not always what they have received. Only four years ago, bad public policy was causing our state to lose jobs at an alarming - and unacceptable rate. Business-as-usual in the state capitol was hurting Missouri families.

Missourians demanded change: to put Missouri families, Missouri values, and Missouri taxpayers first. We embarked on a course to bring jobs back to our state. We have succeeded. Change is working. Since January of 2005, Missourians have created nearly 90,000 jobs.

Change is working. Missourians are prospering.

Tonight, I am pleased to report: our economy is growing, our schools are improving, our health care system has been transformed for the better, and, most importantly, because we have the strength of Missourians as our foundation: THE STATE OF OUR STATE IS STRONG.

### **RESPECTING MISSOURIANS' HARD EARNED DOLLARS**

The changes we have made are working, but I know that many Missouri families are struggling with mortgages, three dollar a gallon gasoline and a government in Washington that fails to address their day-to-day problems.

Now is not the time to go back to the old ways of bigger government, higher taxes, more lawsuits, and too much regulation. The changes we secured - lawsuit reform, regulatory improvements, and working with rather than against farmers and small business owners - were vital in creating new jobs.

Equally important was responsible stewardship of taxpayer's hard-earned dollars. All too often in the past, state government saw tax collection as a natural right of government rather than as a necessary evil. Spending went up, and, if we had not stepped in, more job-killing tax hikes would have followed.

We inherited a state budget that was broken and ruined by profligate spending. Many claimed it would be impossible to save the wrecked budget without increasing taxes. We proved them wrong. We eliminated tremendous amounts of waste and attacked fraud. We increased funding for education at all levels. And we fixed that inherited budget crisis WITHOUT raising job-killing taxes. In fact, we cut taxes. We took our state from a budget crisis to three consecutive budget surpluses.

We will not go back to the old-way. We will continue on our changed course. The budget I submit tonight reduces taxes, helps thousands of working Missouri families afford their own health insurance; supports law enforcement; and continues to increase our investment in education. My budget will increase opportunity and reduce taxes.

### **A WORLD CLASS EDUCATION**

As long ago as 1786, Thomas Jefferson articulated a principle that became a bedrock Missouri value. Jefferson wrote: "By far the most important bill in our whole code is that for the diffusion of knowledge among the people. No other foundation can be devised for the preservation of freedom and happiness." It was true then and it is true today. Education is the most important investment we can make in our own, and in our children's future. It promotes our freedoms. It promotes our happiness, and, by creating opportunity, nurtures a society of rising prosperity.

Unfortunately, under the old way, education had become a pawn in budget battles. Students, teachers, and classrooms suffered under the way things were. When education was just an afterthought, it was easily sacrificed to cover out-of-control spending in other areas.

Missourians wanted a state government that would put classrooms, teachers, and, most importantly, students first. And that is what we have provided. Education is my highest budget priority.

By passing my budget, you will ensure, once again, that Missouri teachers and students have the resources they need to succeed. And when passed, we will have achieved a remarkable feat. By having the vision to look ahead and

the fortitude to keep our commitments to the people of Missouri, we will have increased our total investment in education by 1.2 billion dollars.

My budget recommendations this year include significant increases in funding at all levels - from pre-school to graduate school. Elementary and secondary schools receive an increase of 121 million dollars or more than 4 percent from last year. Missouri colleges and universities receive more than 54.2 million dollars in direct funding, an increase of more than 6 percent. That includes funding to train more doctors, nurses, dentists, and pharmacists to meet the health care needs of Missourians.

Today's technology-driven economy places high value on skills in math, engineering, technology, and science. To ensure that the next generation enjoys even greater prosperity, we must provide our students with a world-class education in these subjects. We want our students to do more than merely keep up with their peers in other states and other countries. We want them to lead the world.

We have already taken several steps forward. We trained hundreds of Advanced Placement teachers and helped more students take Advanced Placement math and science tests. We built more technologically-advanced classrooms, and we funded after-school programs in math and science.

Our changes are working. Academic performance is improving. Missouri fourth and eighth-graders posted significant gains in the 2007 school year on national math tests. Missouri was one of only six states with fourth-graders who scored higher on all five sections of the national math exam. Missouri high school students also improved. A record seventy-four percent of Missouri seniors took the ACT last year, and they beat the national average.

These results are encouraging. But we must do more. I want our students to be better than above-average. I want Missouri students to be at the head of the class.

Tonight, I recommend increased investment in math and science education. I recommend three-quarters of a million dollars to train nearly 1,000 new Advanced Placement teachers and to help more than 6,000 Missouri students take Advanced Placement tests. I recommend 5 million dollars to create 100 technologically-advanced classrooms and to equip 300 classrooms with advanced math and science curriculum. And I recommend 1.1 million dollars for after-school programs, which help students learn, stay fit, stay safe, and stay out of trouble.

Missouri colleges and universities were also neglected by the failed priorities of the old budgets. We needed to invest in better classrooms and labs, and we are doing so.

Last year, for the first time ever, in order to protect Missouri families from future unreasonable tuition hikes, we capped tuition increases, and we launched the Lewis & Clark Discovery Initiative. Thus far, we have invested 289 million dollars for dozens of world-class learning centers to better compete with rival states.

This year, I recommend further investment. I request 31 million dollars for construction, renovation, and improvement of the Ellis Fischel Cancer Center at the University of Missouri, and another 15 million dollars for the Pharmacy and Nursing Building at the University of Missouri at Kansas City.

I also recommend continued increases in scholarship funding. My budget includes more than 25 million dollars for A+ student scholarships, helping more than 20,000 Missourians attend community colleges, nearly double the program's funding since January of 2005. And it includes even more significant increases in need-based scholarships.

When I took office, Missouri state government spent just 25 million dollars on need-based scholarships. We created the Access Missouri Scholarship initiative to simplify the application process for students, and we dramatically increased funding. Before Access Missouri, we issued 16,400 scholarships. So far this year, with Access Missouri, we have helped more than 36,000 students.

One of those students is here tonight. I would like to introduce you to Traci Clark and her daughter Bree. Traci is a nursing student at the University of Missouri at St. Louis. During a recent visit to UMSL, Traci told me that her daughter inspired her to go back to school, and that Access Missouri was vital to make college affordable, and her dreams come true. Traci is a great example of how the Access Missouri scholarship is allowing Missouri students to

reach their full potential and be of service to our fellow Missourians in the years to come. Traci and Bree: thank you for being here.

Tonight, I recommend 100 million dollars for Access Missouri scholarships - quadrupling our investment in need-based scholarships during my administration. This four-fold increase in scholarship funding will expand opportunity for thousands of Missourians studying to make their lives better and Missouri more prosperous.

The funding recommendations in my budget will provide our schools, teachers, and students with significant resources to be successful now, and in the future. Unlike in the past, we will not leave our schools, teachers, or students scraping for left-overs. And I will keep my pledge to never withhold funds that you appropriate for our public schools.

We had a vision for a better future. We set priorities. We led. We maintained the resolve necessary to implement positive change. We will continue to advance. With this budget, over four years, we will have invested an additional 1.2 billion dollars in education.

### **PROTECTING MISSOURI TAXPAYERS**

We have also protected Missouri taxpayers. Last spring, we cut taxes for Missouri seniors by passing the Senior Tax Justice Act, which will end state taxation of Social Security benefits.

Over the past three years, we have demonstrated that effective government need NOT be an intrusive, tax-raising Goliath. In fact, the opposite is true. As government wanders where it does not belong, it loses its effectiveness.

I want to ensure that state government serves citizens effectively and is directly accountable to the people who pay the bills. That is why I created the Missouri Accountability Portal, an Internet site enabling Missourians to track the expenditure of all tax dollars in near real-time. To guarantee future transparency, I urge the General Assembly to make the Accountability Portal permanent.

I also want to ensure that Missourians have a government they can trust. In 2006, I banned gifts from lobbyists to any employee of the Governor's office. I urge you to apply this ban on lobbyists' gifts to the entire executive branch.

Missourians must have a say over taxes and spending. When courts order higher taxes, it is taxation without representation, and against the first principles of democracy. This is America. People should never be taxed without their consent. Yet, courts elsewhere are beginning to usurp powers they do not have. One such area is the definition of marriage, which Missourians placed off limits to unelected judges in 2004. Courts are also beginning to hijack the powers to tax and spend. In Missouri a federal judge ordered new taxes. Just next door, a state court in Kansas recently followed that poor example. The time to close this door is NOT after a future Missouri court discovers a new and illegitimate power to tax. The time to close this door is NOW.

In America, the powers to tax and to spend are for the people directly, and their elected representatives. To protect government by the people, I recommend that you place on the ballot a measure to ensure that Missouri will never have judge-imposed taxes.

Though we have cut state taxes, not all local governments in Missouri have followed our lead.

All Missourians pay property taxes, whether directly or through higher rent. Rates are set by locally elected boards, but we can take action to stop these excessive local increases.

State law is flawed because it allows hidden tax increases, through mandated increases in property valuations. Property assessments and re-assessments should be fair. All too often, they have instead become a shadowy path to higher taxes. I look forward to working with you to develop tax reform that includes truth in taxation and mandatory levy rollbacks. It is imperative that all Missourians benefit from this relief. Let's not pick and choose who gets property tax relief. Let's protect all Missourians from these massive local property tax increases.

## **INCREASING ACCESS TO HEALTH CARE**

By sticking to responsible budgets, making record investments in education, and protecting Missouri taxpayers, we have succeeded in making Missouri a state of greater opportunity. But work remains. I want more Missouri working families to have access to affordable health care. Missouri is among the 20 best states for the share of people with health coverage. I want us to do even better and I will not rest until every Missourian has access to affordable health care.

I inherited a failing government health care system. Outcomes were of little concern, and spending was out-of-control. Hundreds of thousands were on the rolls whose continuing eligibility had not been verified. Under the old way, rooting out fraud and waste was less important than growing programs and throwing tax dollars at problems.

We took a better approach. We sought, and found, solutions that work. We saved the health care safety net by making responsible decisions to focus on the neediest Missourians. We have increased health care spending. And last year, we strengthened the safety net by creating Missouri Health Net.

Unlike the old system, Health Net is about results. The old system treated people like numbers. Health Net treats people as valued patients. Health Net empowers participants through personalized care in a health care home, and, for the first time in Missouri history, guarantees access to primary and preventative care. We should always remember that the best solutions are not government mandates or bigger government programs. Telling a patient, "the bureaucrat will see you now" would be a cure worse than the sickness. Impersonal government-run health care is bad for Missouri families, bad for Missouri doctors, and bad for taxpayers.

I believe in solutions that put Missouri families in greater control of their own lives.

Last fall, I announced the creation of INSURE MISSOURI, to make health insurance more affordable for working Missourians, by relying on the proven Missouri values of work, personal responsibility, and free enterprise.

WORK - Missourians believe in work. We want to help those who are trying to help themselves and their children. INSURE MISSOURI meets the test of rewarding work.

PERSONAL RESPONSIBILITY - INSURE MISSOURI is no handout. Sharing in the cost provides people with the esteem that comes with ownership.

FREE ENTERPRISE - INSURE MISSOURI is not a government program in constant danger of massive waste and cost overruns. Unlike proposals that want to go back in time, INSURE MISSOURI comes without a tax hike. It takes existing resources and helps Missourians buy their own personal health insurance, at an affordable price.

Starting next month, more than 54,000 Missourians can gain immediate access to affordable, high quality care. Those covered will have incomes below the federal poverty line. Co-payments will be no more than three dollars per visit.

This summer, access to coverage will move above federal poverty. Missourians will make contributions based on income. My budget will help an additional 56,000 Missourians buy their own personal health insurance.

Once fully implemented, INSURE MISSOURI will offer access to care for nearly 200,000 Missourians. This new direction has us on the path to affordable coverage for all.

## **AUTISM**

My budget also includes a substantial increase for autism funding. Last year, we provided 3.9 million dollars to shorten the waiting lists for families seeking services for early intervention and diagnoses of autism and to fund pilot projects to determine best practices in treating children with autism. This year, I recommend 6.4 million dollars to further reduce the waiting list, one million dollars for projects designed to expand treatment and services, and 5 million dollars for the Thompson Center in Columbia, a world-class treatment and research facility we will help build right here in central Missouri. Combined, this funding will improve the lives of Missouri families struggling to overcome autism.

### **PROTECTING MISSOURI VALUES**

We have also championed the values that define who we are as a people. Since January of 2005, we have enacted new laws to reflect our profound respect for the inherent dignity of each and every life.

This year, we must take further steps. I believe the vast majority of Missourians agree that we should do all we can to encourage young parents to choose life. That is why my budget again includes increased funding for the Alternatives to Abortion program.

It is also why I support legislation to strengthen Missouri's informed consent laws. We have a moral obligation to protect Missouri women and defend the dignity of human life. We must ensure that expectant mothers have all the information they need to make fully-informed decisions, including the right to view an ultrasound of their child. As any parent can tell you, there is nothing so powerful as that first glimpse of your child. It enhances early bonding and it will encourage expectant parents to choose life.

### **HONORING OUR MILITARY HEROES**

From Bunker Hill to Baghdad, Missouri veterans have served for freedom and country rather than personal glory, and for that, they deserve our esteem, respect, and gratitude.

War takes an incredible toll on our warriors and their families. They have earned a hero's welcome, and any help we can provide to aid their transition to civilian life. This year, I recommend 2.5 million in new funding for veteran's mental health and sheltering services. The funds will be used to ensure that our returning Soldiers, Sailors, Airmen, and Marines have the care they need as they return to civilian life.

Last year, we cut taxes for all Missourians who purchase health insurance. We cut taxes to protect family-supporting manufacturing jobs. And we passed legislation to end state income taxes on Social Security benefits. This year, I propose a fourth major tax cut. I urge the General Assembly to honor our veterans and eliminate all state income taxes on military retirement benefits.

Tonight, we are joined by a Missourian who will benefit from that tax relief, Chief Warrant Officer Rodney Hughes, a veteran of the War on Terror. Chief Warrant Officer Hughes has 25 years of unbroken service in the Missouri National Guard, including one year in Iraq. He is here tonight as a representative of an estimated 50,000 Missourians who have served our country in the Global War on Terror, and hundreds of thousands of Missourians who have served in the past. Chief Warrant Officer Hughes, we salute you, and all of your fellow warriors.

### **AGRICULTURE AND RENEWABLE FUELS**

My administration has fully returned to the Missouri tradition of encouraging agriculture, helping Missouri family farmers realize proper reward for their toil on the land.

Every year, America spends billions of dollars on foreign oil from anti-American suppliers. Ethanol and bio-diesel can and should be used to break this reliance on foreign oil and protect our environment. I believe we would all prefer to fuel our cars with renewable fuel grown by a Midwestern farmer rather than oil from a Middle Eastern dictator.

We have encouraged the production of ethanol to help America move toward environmentally-friendly energy independence. Earlier this month, we became just the third state to implement a renewable fuels standard, increasing the use of ethanol in Missouri. In each of the past three years, I have recommended full funding for ethanol and bio-diesel incentives, and I do so again tonight.

To further grow alternative fuel production, I support a B5 standard for diesel fuel sold in our state. Bio-diesel from soybeans has proven much more environmentally-friendly and better for air quality than regular diesel. Research has shown that it cuts carbon dioxide and cancer-causing emissions by more than 75 percent. Adopting a B5 standard will reduce carbon monoxide emissions by 168 million pounds. A B5 standard will improve our air quality and makes sense for Missouri.

## **PRESERVING OUR ENVIRONMENT**

We have a moral obligation to protect our environment. We seek long-term solutions.

Last year, we passed the Hunting Heritage Act to protect thousands of acres of ecologically-diverse flood plain from taxpayer-financed development.

We also passed the Green Power Initiative so that, by 2020, 11 percent of the energy used in our state will be produced from renewable sources. This year, I support incentives for the construction of alternative fuel pumps, for the purchase of environmentally-friendly hybrid vehicles, and for the purchase of cleaner burning alternative fuels.

Of course, there are two sides to the energy equation. We can get our energy from greener sources. And we can also improve energy efficiency. I started an energy efficiency initiative within state government to save taxpayer money and improve Missouri's environment. For example, in Jefferson City, previously wasted energy from a landfill will heat an entire prison. In total, efficiency and innovation will save Missouri taxpayers more than 15 million dollars per year and help protect our environment.

To build on that success, this budget includes 400,000 dollars for energy audits outside of state government. We will provide 100,000 dollars for voluntary audits to help small businesses save money and energy, and 300,000 dollars to conduct audits of municipal water systems, amongst our largest users of electricity. These audits will help identify inefficiencies - helping to save energy, lower costs, and improve Missouri's environment.

To reward efficiency by consumers, I support legislation creating a week-long "SHOW-ME GREEN" tax holiday to eliminate sales taxes on Energy-Star certified efficient appliances. This will give Missouri consumers an additional incentive to buy energy efficient products - saving energy, saving money, and preserving our environment.

## **SAFE AND MODERN TRANSPORTATION**

Before I took office, our state highways and bridges were crumbling. Over 87 percent of Missouri's roads were in less than good condition. Today, 74 percent of Missouri highways are in good condition and Missouri roads are safer. Last year, Missouri led the nation in improved highway safety. Traffic fatalities are down about 15 percent since 2005. This dramatic turnaround fuels job creation, supports tourism and ensures that Missouri families have the transportation system they need and deserve.

## **PROTECTING THE SAFETY AND SECURITY OF MISSOURIANS**

It is a fundamental duty of government to protect the life and property of its citizens, especially Missouri children. At my recommendation, you passed one of America's strongest versions of Jessica's Law to ensure that dangerous sexual predators spend at least 30 years in prison and are monitored for their entire life if they ever get out. We also created the Cyber Crime Task Forces grant program so that law enforcement can catch predators before they harm a Missouri child. My budget includes another increase for the Task Forces, bringing total funding to 1.5 million dollars.

I also urge you to improve the state's sex offender registry by requiring sex offenders to add their e-mail addresses to their profiles.

Violent sex crimes against children are unspeakably evil. Any criminal that rapes a Missouri child deserves the most serious punishment we can deliver. I urge you to make the rape of a Missouri child punishable by death.

We have taken dramatic steps to protect Missourians from methamphetamine - and they are working. I have already signed landmark legislation making it far more difficult to get the raw materials to make meth. Since our state law went into effect, meth incidents have declined by forty percent. This year, I recommend nearly 1 million dollars for a new system to better alert law enforcement to potential abuses. I also request 1.8 million dollars in supplemental funding to help Missouri sheriffs continue their good work to keep meth off our streets and put meth dealers behind bars.

### **COMBATING ILLEGAL IMMIGRATION**

A just society must rest on the rule of law and respect for the police and courts. Illegal immigration makes a travesty of the rule of law. It undermines wages for Missourians. It imposes huge costs on taxpayers for public services.

Those who favor an open border and welfare benefits for illegal immigrants say that Missouri "doesn't have a problem" with illegal immigration. Tell that to skilled carpenters or electricians who cannot get work because illegals are being exploited and doing the job for a pittance. Tell it to Missouri taxpayers who subsidize services for those who broke the law to come here. Disrespect for the law is always a serious social problem.

As in generations past, Missourians welcome legal immigrants and want to help them assimilate into our society. That is why I renew my endorsement of English as the official language. I support this because I wish to include all in the full promise of the American life. English is the language of opportunity. As legal residents learn it, they open new doors, leading to greater freedom and prosperity.

But while we open our hearts to those here LEGALLY, we must reserve a firm hand for those who break our laws.

Washington, unfortunately, has failed to secure our borders. Open borders and amnesty are unacceptable. Washington's failure means states must do more and Missouri is taking the lead.

For example, I directed the Highway Patrol to verify the immigration status of every person booked into jail. Since my directive, 138 illegal immigrants have found out the hard way that crime does not pay. To build on these gains, we have applied for federal approval that deputizes state law enforcement to enforce federal immigration law.

Working with federal authorities, we helped bust and disqualify a state contractor for using illegal workers. I have a simple rule. If a contractor uses illegal labor, they will not do business with Missouri taxpayers.

I urge you to place my directives in statute and pass a number of important legislative initiatives.

I urge you to create new penalties for aiding an illegal in obtaining a license by fraud; and to specifically prohibit illegals from having a Missouri driver's license.

I ask that you forbid local governments from hampering law enforcement efforts to help enforce immigration law. Missouri should have no "sanctuary cities."

To stop the use of illegal labor and to protect illegal immigrants from exploitation, I support a new law making it a crime to transport any illegal immigrant for exploitive purposes, including illegal labor.

To protect taxpayers, I urge legislation that requires public agencies verify the legal status of applicants before providing welfare benefits.

Missourians know what needs to happen. Turn OFF the magnets that help attract mass illegal immigration.

Finally, I urge you to require stronger employment verification; to punish those who knowingly hire illegals; and to protect from undue penalty those whose failures occur in good faith.

Again: Turn OFF the magnets, end the easy hiring of illegals, and stop undermining American wages.

Missouri is already taking some of the strongest steps in the United States to curb illegal immigration, but we can and should be doing more. Missourians should know that I will do everything I can to combat illegal immigration - to protect their safety, to defend their hard-earned tax dollars, to protect their jobs, and to enforce the rule of law.



**CHANGE THAT IS WORKING**

When the old way failed the people, Missourians issued their mandate for a new direction.

We took a wrecked state budget and delivered consecutive surpluses.

We took a job climate that was causing entrepreneurs and employers to flee our state and turned it into a climate welcoming new jobs - nearly 90,000 in just three years.

We reduced taxes for Missouri seniors and every Missouri family that spends money on health insurance.

We took a health care system that resulted in poor health for patients and reckless spending for Missouri taxpayers, and replaced it with a better system, one that delivers better care, improves the quality of life for participants, and is sustainable for Missouri taxpayers. Now, for the first time, we will help working families afford their own coverage. And again, I will not rest until every Missourian has access to affordable health care.

We took an education system that all-too-often found itself fighting tooth-and-nail for funding and made it our highest budget priority. We will deliver more than 1.2 billion dollars in new funding, and we will quadruple scholarships to help well more than 36,000 deserving Missouri students.

What we are doing is passing the ultimate Missouri test. It is working. It is working for Missouri families.

Our task is to make what is good, even better. We must aspire for even greater prosperity, opportunity, and freedom. We must never stand still. America is the most dynamic society in human history. We must combine tested and proven values with innovation and the common wisdom of the people, to honor Missouri's motto: that the welfare of the people shall be the supreme law.

May God bless each of you, and may God continue to bless our great and wonderful state.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

**COMMITTEE REPORTS**

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2015**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2021**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2022**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1642**, introduced by Representative Lipke, relating to crime.

**HB 1643**, introduced by Representatives Onder, Lipke, Avery, Salva, Dougherty, Darrough and Bivins, relating to the practice of midwifery.

**HB 1644**, introduced by Representatives Onder, Nieves, Portwood, Yates, Davis, Nance, Fisher, Ervin, Dusenber, Cunningham (86), Jones (89), Brown (30), Bivins and Stream, relating to the federal income tax deduction.

**HB 1645**, introduced by Representatives Onder, Nieves, Yates, Davis, Fisher, Ervin, Cunningham (86), Jones (89), Bivins and Stream, relating to the federal income tax deduction.

**HB 1646**, introduced by Representative Viebrock, relating to the designation of a memorial bridge.

**HB 1647**, introduced by Representative Viebrock, relating to election offenses of the third and fourth classes.

**HB 1648**, introduced by Representative Viebrock, relating to impoundment of animals.

**HB 1649**, introduced by Representatives Franz, Nieves, Portwood, Bivins, Jones (89), Flook, Brown (30), Grisamore, Dethrow, Cunningham (86), Ruestman, Smith (150), Onder, Yates, Sander, Wallace, Fisher, Stream, Pollock, Schad, Sater, Wells and Jones (117), relating to driver's licenses for convicted sex offenders.

**HB 1650**, introduced by Representative Franz, relating to unemployment compensation.

**HB 1651**, introduced by Representatives Dethrow, Day, Wilson (119), Sater, May, Avery, Schieffer, Roorda, Dusenber, Wallace, Denison, Nieves, Schad and Emery, relating to firearms training requirements.

**HB 1652**, introduced by Representatives Dethrow, Schlottach, Weter, Smith (150), Day, Nieves, Fisher, Harris (110), Guest, Wright, Kelly, Wallace and Franz, relating to the national animal identification system.

**HB 1653**, introduced by Representative Dethrow, relating to license plates.

**HB 1654**, introduced by Representatives Nance, Cox, Stream, Portwood, Yates, Davis, Cooper (155), Wilson (130) and Brown (30), relating to the reporting of possible juvenile illegal aliens.

**HB 1655**, introduced by Representatives Nance, Nolte, Cox, Stream, Portwood, Grill, Yates, Ruzicka, Davis, Cooper (155), Cunningham (86), Wilson (130) and Brown (30), relating to public benefits for aliens.

**HB 1656**, introduced by Representatives Nance and Cooper (155), relating to transition grants for persons in nursing homes.

**HB 1657**, introduced by Representatives Nance, Sander, Flook and Cox, relating to child custody.

**HB 1658**, introduced by Representatives Dethrow, Day, Dusenber, Wright, Harris (110), Wilson (119), May, Loehner, Ruzicka, Wells, Wallace, Munzlinger and Quinn (7), relating to an exemption from state and local sales and use taxes for agricultural fencing.

**HB 1659**, introduced by Representatives Smith (14), Ruzicka, Meadows, Onder, Bivins, Day, Funderburk, Dougherty, McGhee, Bruns, Dusenber, Deeken, Schieffer, Portwood and Sander, relating to the Gulf War Medallion Program.

**HB 1660**, introduced by Representatives Pearce, Fisher, Bruns and Richard, relating to the Missouri voluntary developer agreement law.

**HB 1661**, introduced by Representatives LeVota, Jetton, Talboy, Silvey, Skaggs, Pratt, Hughes, Cooper (120) and Scavuzzo, relating to state taxable income calculations.

**HB 1662**, introduced by Representatives Deeken and McGhee, relating to the sale of hearing instruments.

**HB 1663**, introduced by Representative Young, relating to sunshine law violations.

**HB 1664**, introduced by Representatives Young, Faith, Aull, Oxford, Avery, Grisamore, Nance, Baker (25), Grill, Munzlinger and Darrough, relating to disabled parking signs.

**HB 1665**, introduced by Representatives El-Amin, Hubbard, Johnson, Walton, Wright-Jones and Nasheed, relating to the designation of a memorial highway.

**HB 1666**, introduced by Representatives El-Amin, Hubbard, Brown (50), Schieffer and Oxford, relating to global warming.

**HB 1667**, introduced by Representatives Harris (23), Pearce, Curls, Nasheed, Harris (110), Yaeger, Oxford, Zimmerman, Hughes, Storch, Johnson, George, Corcoran, Grill, Darrough, Rucker, Burnett, Walsh, Roorda, Baker (25), Page, Schoemehl, Fallert, El-Amin, Schieffer, Lampe and Wildberger, relating to home ownership protection.

**HB 1668**, introduced by Representatives Ruzicka, Wasson, Wells, Franz, Pollock, Tilley and Cunningham (145), relating to a tax credit for storm shelters.

**HB 1669**, introduced by Representative Jones (117), relating to the retirement of veterans who are state employees.

**HB 1670**, introduced by Representative Cooper (120), relating to sales tax exemptions for certain equipment.

**HB 1671**, introduced by Representative Schaaf, relating to standardized insurance forms.

**HB 1672**, introduced by Representatives Roorda, Jones (117), Meadows, Bruns, Moore, Cox, Norr, Zimmerman, Nieves, Yaeger, Guest and Darrough, relating to taxation of unauthorized substances.

**HB 1673**, introduced by Representative Parson, relating to the sale of American flags.

### **WITHDRAWAL OF HOUSE BILL**

January 15, 2008

D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
Missouri State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Adam,

I am writing this letter to respectfully request to withdraw **House Bill No. 1573**, dealing with electronic records and disbursements.

Thank you for your consideration in withdrawing **House Bill No. 1573**. I apologize for any inconvenience this may cause.

Sincerely,

/s/ Ward Franz  
State Representative  
District 151

The following member's presence was noted: Vogt.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, January 16, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint committee meeting with Agriculture Policy and Special Committee on Agri-Business.

Committee members will be meeting John B. Askew, Regional Administrator EPA Region 7.

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 16, 2008, 1:00 p.m. Hearing Room 7.

Public testimony for the Departments of Agriculture, Natural Resources and Conservation.

To testify please contact Helen or Phyllis at 573-751-3972.

Update on FY08 decision items and fee funds. AMENDED

#### **APPROPRIATIONS - EDUCATION**

Wednesday, January 16, 2008, One hour and fifteen minutes after adjournment.

412 W. Broadway, New Franklin, MO.

Committee will visit e-MINTS classrooms in the New Franklin School District and will visit the University of Missouri Center for Agroforestry.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 5.

Department of Mental Health budget overview.

Committee will reconvene at 1:00 p.m.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 3.

Presentation on Interoperable Communications between Emergency Personnel will be given.

Executive session may follow.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 6.

Specialty License Plate Applications: Rocky Mount Elk Foundation,  
MO Park and Recreation Assoc., MO Assoc. of Realtors.

Request for Proposal (RFP).

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Thursday, January 17, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1316, HB 1327

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, January 16, 2008, 12:00 p.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to  
the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 17, 2008, 8:00 a.m. Hearing Room 7.

Committee will study all aspects of healthcare and how they relate to  
the problem of the uninsured in Missouri.

Committee will reconvene upon adjournment if needed.

**TRANSPORTATION**

Wednesday, January 16, 2008, 8:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 1299, HB 1309, HB 1312, HB 1354

**WAYS AND MEANS**

Thursday, January 17, 2008, 9:00 a.m. Hearing Room 3.

Public hearings to be held on: HB 1321, HB 1345, HB 1367

**HOUSE CALENDAR**

FIFTH DAY, WEDNESDAY, JANUARY 16, 2008

**HOUSE BILLS FOR SECOND READING**

HB 1642 through HB 1673

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1      HB 2015 - Icet
- 2      HB 2021 - Icet
- 3      HB 2022 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTH DAY, WEDNESDAY, JANUARY 16, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

O Lord, who is like You, glorious in holiness, awesome in splendor, performing great wonders among us in the earth.

Each morning You awaken us and open our understanding to Your will. You reveal to us Your Words of wisdom so that we know the right words to speak, the proper choices to make and the proper direction to take in all matters before us.

May we be mindful of Your command that we be people of strong moral character, kindness, humility and integrity.

Blessed are You, LORD, who has given us rest according to all that You promised. Thank You for Your abiding presence.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Addison Baker.

The Journal of the fourth day was approved as printed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee

Meadows	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOES: 005

Daus	Lowe 44	Meiners	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 006

Burnett	Cooper 120	Dixon	Dougherty	Harris 23
Mr Speaker				

VACANCIES: 004

## HOUSE RESOLUTIONS

Representative Portwood offered House Resolution No. 123 and House Resolution No. 124.  
Representative Faith offered House Resolution No. 134.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 118 through House Resolution No. 122  
House Resolution No. 125 through House Resolution No. 133  
House Resolution No. 135 through House Resolution No. 139

## HOUSE CONCURRENT RESOLUTIONS

Representative Scharnhorst offered House Concurrent Resolution No. 10.  
Representative Nolte offered House Concurrent Resolution No. 11.

## SECOND READING OF HOUSE BILLS

**HB 1642** through **HB 1673** were read the second time.



## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1674**, introduced by Representative Cooper (120), relating to financial disclosures by members of the general assembly.

**HB 1675**, introduced by Representative Scharnhorst, relating to HVAC services.

**HB 1676**, introduced by Representative Hoskins, relating to student transfers.

**HB 1677**, introduced by Representative Franz, relating to the Missouri local government employees' retirement system.

**HB 1678**, introduced by Representatives Day, Pearce, Fisher, Stream, Cooper (155), Richard, Scharnhorst, Jetton, Cooper (120), Dougherty, Nance, Sander, Grill, Funderburk, Nieves, Faith, Norr, Wright, Bivins, Walton, Wasson, Wells, Sater, May, Schad, Witte, Lembke, Dethrow, Quinn (7), Franz, Brandom, Bruns, Ruzicka, Weter and Grisamore, relating to the interstate compact on educational opportunity for military children.

**HB 1679**, introduced by Representatives Meiners, Oxford, Young, Baker (25), Cunningham (86), Roorda, Donnelly, Talboy, Yaeger, Dusenberg, Bivins, Robb, Scharnhorst, Curls, Vogt and Sutherland, relating to sales and use tax on purchased or leased motor vehicles.

**HB 1680**, introduced by Representatives Meiners, Baker (25), Roorda, Donnelly, Talboy, Yaeger, Robb and Curls, relating to mobility motor vehicle dealers.

**HB 1681**, introduced by Representative Meiners, relating to the DNA profiling system.

**HB 1682**, introduced by Representative Meiners, relating to removing the loss limit on excursion gambling boats.

**HB 1683**, introduced by Representative Meiners, relating to Internet bullying.

**HB 1684**, introduced by Representative Meiners, relating to the Missouri Political Cyberfraud Act.

**HB 1685**, introduced by Representatives Nolte, Nance, Denison, Hughes and Ruestman, relating to displaying of financial information.

**HB 1686**, introduced by Representatives Nolte, Smith (150), Grill, Brown (30) and Ruestman, relating to a motor fuel tax holiday.

**HB 1687**, introduced by Representatives Nolte, Nance, Nieves, Funderburk, Ervin, Meiners, Weter, Dougherty and Ruestman, relating to penalties for delinquent taxes.

**HB 1688**, introduced by Representatives Nolte, Nance, Ervin and Ruestman, relating to compensation of county commissioners.

**HB 1689**, introduced by Representative Wilson (130), relating to the governor's council on disability.

**HB 1690**, introduced by Representative Wilson (130), relating to the transmission of insurance-related information in specific formats.

**HB 1691**, introduced by Representative Wilson (130), relating to the Interstate Insurance Product Regulation Compact.

**HB 1692**, introduced by Representatives Zweifel, Donnelly, Corcoran, Darrough, Liese, Quinn (9), Page, Wildberger, Low (39), Schieffer, Schoemehl, Spreng, Robinson, Talboy, Grill, Yaeger, Baker (25), Oxford, Walsh, Burnett, Holsman, Daus, Zimmerman, LeVota, Storch and Kuessner, relating to the preschool plus grant program.

**HB 1693**, introduced by Representatives Zweifel, LeVota, Corcoran, Darrough, Liese, Quinn (9), Page, Wildberger, Low (39), Schieffer, Whorton, Schoemehl, Spreng, Robinson, Talboy, Grill, Yaeger, Oxford, Walsh, Burnett, Holsman, Storch and Kuessner, relating to the Missouri Education Promise Program.

**HB 1694**, introduced by Representatives Zweifel, LeVota, Corcoran, Darrough, Villa, Liese, Quinn (9), Page, Wildberger, Schieffer, Spreng, Robinson, Talboy, Grill, Yaeger, Baker (25), Walsh, Burnett, Holsman, Zimmerman, Chappelle-Nadal, Storch and Kuessner, relating to property taxation.

**HB 1695**, introduced by Representatives Zweifel, Quinn (9), Corcoran, Darrough, Villa, Liese, Page, Wildberger, Low (39), Schieffer, Whorton, Schoemehl, Spreng, Robinson, Talboy, Grill, Yaeger, Baker (25), Walsh, Burnett, Holsman, Zimmerman, Chappelle-Nadal, LeVota, Storch and Kuessner, relating to property tax credits.

**HB 1696**, introduced by Representatives Zweifel, Yaeger, Quinn (9), Darrough, Corcoran, Page, Oxford, Scavuzzo, Roorda, Harris (110), Schieffer, Zimmerman, Walsh, Spreng, Meadows, Schoemehl, Curls and LeVota, relating to motor vehicle registration notices.

**HB 1697**, introduced by Representatives Zweifel, LeVota, Quinn (9), Darrough, Page, Oxford, Yaeger, Scavuzzo, Roorda, Harris (110), Schieffer, Zimmerman, Daus, Grill, Walsh, Spreng, Meadows, Schoemehl, Curls and Storch, relating to the Missouri higher education loan authority.

**HB 1698**, introduced by Representatives Zweifel, Scavuzzo, Darrough, Corcoran, Quinn (9), Page, Oxford, Yaeger, Meiners, Roorda, Harris (110), Schieffer, Zimmerman, Grill, Walsh, Spreng, Meadows, Schoemehl, Curls, LeVota and Storch, relating to the higher education academic scholarship program.

**HB 1699**, introduced by Representative Wasson, relating to a tax credit for the use of idle reduction technology.

**HB 1700**, introduced by Representative Wasson, relating to certified public accountants.

**HB 1701**, introduced by Representative Wasson, relating to immunosuppressive drugs.

**HB 1702**, introduced by Representative Brown (30), relating to using a mobile communication device while operating a moving motor vehicle.

The following members' presence was noted: Cooper (120), Dixon, Dougherty and Harris (23).

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, January 17, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint committee meeting with Agriculture Policy and Special Committee on Agri-Business.

Committee members will be meeting John B. Askew, Regional Administrator EPA Region 7.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, January 22, 2008, 11:00 a.m. Hearing Room 3.

Overview presentation from the Department of Elementary and Secondary Education.

#### **APPROPRIATIONS - EDUCATION**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 1.

Public testimony.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 22, 2008, 9:00 a.m. Hearing Room 5.

Budget overview for the Department of Health and Senior Services.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

#### **CORRECTIONS AND PUBLIC INSTITUTIONS**

Tuesday, January 22, 2008, Hearing Room 4 upon adjournment.

Informational meeting.

#### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 6.  
Specialty License Plate Applications: Rocky Mount Elk Foundation,  
MO Park and Recreation Assoc., MO Assoc. of Realtors.  
Request for Proposal (RFP).

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Thursday, January 17, 2008, 8:00 a.m. Hearing Room 5.  
Executive session may follow.  
Public hearings to be held on: HB 1316, HB 1327

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 17, 2008, 8:00 a.m. Hearing Room 7.  
Committee will study all aspects of healthcare and how they relate to  
the problem of the uninsured in Missouri.  
Committee will reconvene upon adjournment if needed.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, January 22, 2008, 12:00 p.m. Hearing Room 6.  
Committee will study all aspects of healthcare and how they relate to  
the problem of the uninsured in Missouri.  
Executive session may follow.  
Committee may reconvene upon adjournment. HR6 AMENDED  
Public hearing to be held on: HB 1332

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, January 23, 2008, 8:00 a.m.  
Division of Professional Registration and Licensing,  
3605 Missouri Blvd., Jefferson City, MO.  
Informational meeting.

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 1.  
Executive session to follow.  
Public hearings to be held on: HB 1320, HB 1310, HB 1311

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 5.  
Public hearings to be held on: HB 1426, HB 1430

**WAYS AND MEANS**

Thursday, January 17, 2008, 9:00 a.m. Hearing Room 3.  
Public hearings to be held on: HB 1321, HB 1345, HB 1367

**HOUSE CALENDAR**

SIXTH DAY, THURSDAY, JANUARY 17, 2008

**HOUSE BILLS FOR SECOND READING**

HB 1674 through HB 1702

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HB 2015 - Icet
- 2 HB 2021 - Icet
- 3 HB 2022 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTH DAY, THURSDAY, JANUARY 17, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, by Your gift of wisdom, and our communication and reflection, may we continue to grow in our understanding of the state of our State.

Then, may we begin to do our part in advancing justice for all. Your Holy Word reminds us, "By justice a king gives stability to the land," (*Proverbs 29:4*). Help us, each and every one of us, to do our part so that this Holy Word may live ever more fully in the "land" that is the State of Missouri.

We thank You, O God, for every good decision and every good event that has helped decrease the violence and killing in Iraq. Protect our armed forces there, and help the leaders of that nation to establish justice for all their people.

We give You honor and glory, Almighty God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mate Chavez Daus and Vincent Chavez Daus.

The Journal of the fifth day was approved as printed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bowman	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson

Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	

NOES: 002

Daus                      Talboy

PRESENT: 002

Darrough              George

ABSENT WITH LEAVE: 011

Cooper 155	Donnelly	Harris 23	Haywood	Nasheed
Schneider	Skaggs	Vogt	Young	Zimmerman
Mr Speaker				

VACANCIES: 004

## SPECIAL RECOGNITION

Dr. Richard Haffner, Dr. Donald Gutting, Dr. John Brown, II, Dr. Murry Germany, Dr. John Love and Dr. James Hayden were recognized for their fifty years of service to the dental profession.

## HOUSE RESOLUTION

Representative Bruns offered House Resolution No. 140.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 141 through House Resolution No. 156

## SECOND READING OF HOUSE BILLS

**HB 1674** through **HB 1702** were read the second time.

## PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HB 2021**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2021** was ordered perfected and printed.

**HB 2022**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2022** was ordered perfected and printed.

**HB 2015**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2015** was ordered perfected and printed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 5** - Special Committee on Veterans

**HCR 7** - Higher Education

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 39** - Elections

**HJR 40** - Elections

**HJR 41** - Special Committee on General Laws

**HJR 42** - Ways and Means

**HJR 43** - Ways and Means

**HJR 44** - Elementary and Secondary Education

**HJR 45** - Elections

**HJR 49** - Special Committee on General Laws

**HJR 51** - Special Committee on General Laws

**HJR 52** - Special Committee on General Laws

**HJR 53** - Transportation

**HJR 55** - Special Committee on General Laws

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1306** - Special Committee on General Laws

**HB 1308** - Judiciary

**HB 1339** - Judiciary

**HB 1340** - Special Committee on Tax Reform

**HB 1387** - Judiciary

**HB 1404** - Crime Prevention and Public Safety

**HB 1405** - Crime Prevention and Public Safety

**HB 1406** - Transportation

**HB 1407** - Elections

**HB 1417** - Judiciary

**HB 1437** - Ways and Means



**HB 1460** - Judiciary  
**HB 1468** - Crime Prevention and Public Safety  
**HB 1469** - Judiciary  
**HB 1482** - Transportation  
**HB 1489** - Crime Prevention and Public Safety  
**HB 1504** - Health Care Policy  
**HB 1517** - Elections  
**HB 1519** - Transportation  
**HB 1526** - Elections  
**HB 1532** - Transportation  
**HB 1534** - Elementary and Secondary Education  
**HB 1540** - Judiciary  
**HB 1541** - Judiciary  
**HB 1546** - Health Care Policy  
**HB 1550** - Judiciary  
**HB 1561** - Special Committee on Family Services  
**HB 1562** - Special Committee on Veterans  
**HB 1570** - Special Committee on Family Services  
**HB 1575** - Transportation  
**HB 1576** - Special Committee on Professional Registration and Licensing  
**HB 1598** - Ways and Means  
**HB 1616** - Special Committee on Professional Registration and Licensing  
**HB 1618** - Special Committee on Financial Institutions  
**HB 1619** - Crime Prevention and Public Safety  
**HB 1620** - Special Committee on Professional Registration and Licensing  
**HB 1625** - Health Care Policy  
**HB 1626** - Special Committee on Immigration  
**HB 1636** - Special Committee on Utilities

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1703**, introduced by Representatives Bruns, Dusenberg, Schneider and Roorda, relating to prior or persistent intoxication-related traffic offenders.

**HB 1704**, introduced by Representatives Wallace, Robb, Thomson, Schad, Wilson (119), Loehner, Pratt, Viebrock, Sater, Denison, Nance, Wasson, Whorton, Smith (150), Fisher, Baker (25), Stream, Schieffer, Kingery, Cunningham (145), Weter, Wright, Sander, Ruestman, Munzlinger, Deeken, Swinger, Dethrow, Jetton, Moore, Wilson (130), Franz, May, Rucker, Marsh, Lampe, Pollock, Wells, Tilley, Quinn (9), Day, Hobbs, Scharnhorst, Jones (117), Witte, Richard, Guest, Schneider, Aull, Kelly, Cooper (155), Kuessner, Todd, Bandom, Hodges, Yaeger, Grisamore, Fallert, McGhee, Schlottach, Bringer and Pearce, relating to grants for small schools.

**HB 1705**, introduced by Representative Scharnhorst, relating to condominium property.

**HB 1706**, introduced by Representatives Baker (123), Scavuzzo, Dusenberg, Nance, Sander, Fisher, Whorton, Flook, Faith, Sater, Smith (150), Schieffer, Rucker, McGhee, Ervin and Moore, relating to employment of retirees of the public school retirement system.

**HB 1707**, introduced by Representatives Baker (123), Dusenberg, Wells, Nance, Sander, Whorton, Scavuzzo, Flook, Faith, Sater, Cunningham (86), Rucker, McGhee, Ervin and Moore, relating to the procurement of construction by the design-build method by school districts.

**HB 1708**, introduced by Representative Pollock, relating to commercial drivers' licenses.

**HB 1709**, introduced by Representatives Sater, Nance, Funderburk, Weter, Moore, Dougherty and Oxford, relating to the use of moneys from certain payments received from the master settlement agreement.

**HB 1710**, introduced by Representative Flook, relating to police retirement.

**HB 1711**, introduced by Representatives Weter, Wasson and Tilley, relating to emergency service boards.

**HB 1712**, introduced by Representatives Sander, McGhee, Jones (117), Parson, Deeken, Nance, Wallace, Bruns and Baker (123), relating to emergency services.

**HB 1713**, introduced by Representatives Norr, Todd, Hodges, Quinn (9), Casey, Zimmerman, Wildberger, Roorda and Darrough, relating to rebates.

**HB 1714**, introduced by Representatives Norr, Brown (50), Scavuzzo, Schieffer, Casey, Todd, Hodges, Quinn (9), Zimmerman, Roorda and Schoeller, relating to a tax credit for natural disaster costs.

**HB 1715**, introduced by Representatives Schad, Cooper (155), Wallace, Fisher, Faith, Lembke, Nance, Bruns, Bivins, Wilson (119), Sander, Jones (117), Robb, Smith (150), Kingery, Dusenberg, Day, Scharnhorst, Ruestman, Denison, Deeken, May, Loehner, Cunningham (86), Wilson (130), Moore, Nolte, Kraus, McGhee, Munzlinger, Sater, Weter, Muschany, Kelly, Schlottach, Ruzicka, Jones (89), Wright, Guest, Silvey, Grisamore, Flook, Onder, Baker (123), Viebrock, Schoeller, Pollock, Parson, Pratt, Tilley, Ervin, Quinn (7), Stevenson, Sutherland, Schaaf, St. Onge, Franz, Threlkeld, Cox, Wells, Stream, Thomson, Wasson, Hobbs, Smith (14) and Brandom, relating to watercraft.

**HB 1716**, introduced by Representatives Guest, Ruestman, Tilley, Talboy, McGhee, Harris (110), Funderburk, Yates, Davis, Dougherty, Schieffer, Baker (123), Portwood, Whorton, Nieves, Low (39), Smith (150), Meiners, Lowe (44), Wallace, Wilson (119), Swinger, Darrough, Onder, Wells, Weter, Dusenberg, Cooper (155), Rucker, Oxford, Brown (50), Meadows, Schad, Daus, Stream, Bivins and Nance, relating to noncompliance with the federal REAL ID Act of 2005.

**HB 1717**, introduced by Representatives Guest, Sander, Wood, Wallace, Ruestman, Kingery, Jones (117), Smith (150), Robb, Nance, Deeken, Fisher and Hunter, relating to driver's licenses.

**HB 1718**, introduced by Representatives Brandom, Tilley, Pollock, Grisamore, Wells, Schoeller, Day, Wright, Thomson, Franz, Smith (150), Muschany, Sander, Nolte and Denison, relating to gift certificates.

**HB 1719**, introduced by Representatives Talboy, Holsman, Burnett, Bland, Curls, Skaggs, Zimmerman, Meiners, Roorda, Wildberger, Lowe (44), Lampe, Darrough, Low (39), Yaeger, Oxford, Bowman, Fallert, Walton, Meadows and Baker (25), relating to election procedures.

**HB 1720**, introduced by Representatives Talboy, Lowe (44), Lampe, Chappelle-Nadal, Low (39), Oxford, Bowman, Walton, Daus, Curls and Johnson, relating to the duty of a pharmacy to fill prescriptions.

**HB 1721**, introduced by Representatives Talboy, Schieffer, Meiners, Wildberger, Burnett, Bland, Curls, Skaggs and Hughes, relating to the capping of nautural gas and gasoline prices.

**HB 1722**, introduced by Representatives Wallace, Jetton, Robb, Schad, Thomson, Wilson (119), Pratt, Viebrock, Loehner, Sater, Denison, Whorton, Fisher, Stream, Wasson, Schieffer, Kingery, Cunningham (145), Portwood, Faith, Dusenberger, Sander, Ruestman, Munzlinger, Flook, Yates, Deeken, Ervin, Emery, Cox, Swinger, Dethrow, Wilson (130), Franz, May, Baker (123), Marsh, Lampe, Pollock, Wells, Tilley, Quinn (9), Day, Scharnhorst, Hobbs, Jones (117), Witte, Richard, Guest, Schneider, Aull, Kelly, Cooper (155), Kuessner, Todd, Brandom, Hodges, Ruzicka, Nance, Wright, Yaeger, Jones (89), Grisamore, Smith (150), Weter, McGhee, Schlottach, Bivins, Pearce, Wood, Quinn (7), St. Onge, Dixon, Sutherland and Self, relating to school protection measures.

**HB 1723**, introduced by Representative Franz, relating to collection of taxes.

**HB 1724**, introduced by Representatives Davis, McGhee, Funderburk, Ruestman, Kraus, Emery, Sander, Nieves, Bivins, Moore, Faith, Wells, Thomson, Wallace, Wood, Cox, Scharnhorst, Lembke, Jones (89), Meiners, Casey, Walton, Smith (14), Smith (150) and May, relating to sexual offender registration.

**HB 1725**, introduced by Representative Villa, relating to jury service.

**HB 1726**, introduced by Representatives Robb, Page, Cunningham (86), Portwood, Meiners, Villa and Moore, relating to classroom placement of children.

**HB 1727**, introduced by Representatives Bivins, Holsman, Grill and Darrough, relating to light pollution.

**HB 1728**, introduced by Representatives Bivins, Sater, Ruestman and Moore, relating to strategic litigation against public participation.

**HB 1729**, introduced by Representatives Bivins and Villa, relating to stormwater control bonds.

**HB 1730**, introduced by Representatives Bivins, Lembke, Cunningham (86), Sater, Brown (30), Ruestman, Faith and Moore, relating to fire protection district tax rates.

**HB 1731**, introduced by Representatives Walsh, Daus, Whorton, Schieffer, Corcoran, Lowe (44), Wildberger, Yaeger, Low (39), Harris (110), Roorda, Spreng, Meadows, Lampe and Brown (50), relating to the safe staffing and quality care accountability acts.

**HB 1732**, introduced by Representatives Walsh, Daus, Lowe (44), Wildberger, Yaeger, Low (39), Baker (25), Roorda, Young, Hughes, Spreng and Meadows, relating to oversight of public privatization contracts.

**HB 1733**, introduced by Representatives Walsh, George, Chappelle-Nadal, Darrough, Meadows, Roorda, Schoemehl, Hodges, Zweifel and Yaeger, relating to property taxation.

**HB 1734**, introduced by Representatives Fallert, George, Zimmerman, Dougherty, Salva, Tilley and Frame, relating to the sale of liquor.

**HB 1735**, introduced by Representatives Nolte and Silvey, relating to educational facilities.

**HB 1736**, introduced by Representatives Schneider, Jetton, Nolte, Pratt, Avery, George, Nance, Dougherty, Davis, Bivins, Munzlinger, Wallace, Smith (150), Lembke, Schoeller, Yates, Fisher, Moore, Brown (30), Ruestman and Nieves, relating to illegal immigration.

**HB 1737**, introduced by Representatives Wallace, Viebrock, Schad, Wilson (119), Loehner, Sater, Pratt, Denison, Dixon, Wilson (130), Thomson, Kingery, Munzlinger, Deeken, Swinger, Franz, Baker (123), Self and Wood, relating to a motor fuel tax exemption for school districts.

**HB 1738**, introduced by Representatives Holsman, Oxford and Schieffer, relating to tobacco paraphernalia.

**HB 1739**, introduced by Representatives Moore, Lampe, Parson, Wood, Brown (50), Bivins, Denison, Sander, Faith, May, Wilson (119), Bruns, Dougherty, Schoemehl, Munzlinger, Hodges, Fisher, Threlkeld, Fares, Wildberger, Ruestman, Kuessner, Schieffer, Sater, Grisamore, Richard, Wasson, Meadows, Viebrock, Kingery, McGhee, Sutherland, Walton, Fallert, Funderburk, Smith (150), Schoeller, Pearce, Norr, Casey, Lembke, Low (39), St. Onge, Wallace, Robb, Tilley, Ruzicka, Jones (89), Wright, Emery, Dixon, Cooper (120), Harris (110), Weter, Burnett, Young, Villa, Haywood, Whorton, Robinson, Aull, Scavuzzo, Grill, Shively, Yaeger, Lowe (44), Johnson, Quinn (9), Schad, Hunter, Kelly, Ervin, Hobbs, Stevenson, Day, Deeken, Jones (117), Avery, Thomson, Curls, Wilson (130), Franz and Schneider, relating to psychologist licensing.

**HB 1740**, introduced by Representative Meiners, relating to recording fees.

**HB 1741**, introduced by Representative Meiners, relating to certain persons being excused from jury service.

**HB 1742**, introduced by Representatives Dusenberg, Nolte, Schieffer, Darrough, Lowe (44), Aull and Talboy, relating to the selling of tickets.

**HB 1743**, introduced by Representatives Dusenberg and Yates, relating to income tax credits for surviving spouses of public safety officers.

**HB 1744**, introduced by Representatives McGhee, Kraus, Day, Meadows, Grisamore, Portwood, Stream, Scharnhorst, Komo, Schieffer, Weter, Ruestman, Darrough, Sater, Whorton, Wallace, Low (39), Schneider and Sander, relating to the telemarketing no-call list.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Richard is no longer a member of the Special Committee on Utilities.

Representative Schoemehl is no longer a member of the Special Committee on Immigration.

### **WITHDRAWAL OF HOUSE BILL**

January 17, 2008

Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
Jefferson City, MO 65101

Dear Adam,

I respectfully request that **House Bill No. 1687** be pulled at this time.

Thank you for your consideration.

Sincerely,

/s/ Jerry Nolte  
Representative  
District 33

The following members' presence was noted: Cooper (155), Donnelly, Jetton, Nasheed, Schneider and Vogt.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Tuesday, January 22, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint committee meeting with Agriculture Policy and Special Committee on Agri-business.

Committee members will be meeting John B. Askew, Regional Administrator EPA Region 7.

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 22, 2008, 11:00 a.m. Hearing Room 3.

Overview presentation from the Department of Elementary and Secondary Education.

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 1.

Public testimony.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 3.

Office of Administration statewide real estate and other

Office of Administration divisions as time permits.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 22, 2008, 9:00 a.m. Hearing Room 5.

Budget overview for the Department of Health and Senior Services.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

### **APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, January 22, 2008, Hearing Room 3 upon adjournment.

Organizational meeting.

Discuss report and review Governor's decision item recommendations.

### **CORRECTIONS AND PUBLIC INSTITUTIONS**

Tuesday, January 22, 2008, Upon adjournment. Hearing Room 4.

Informational meeting.

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, January 23, 2008, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1314

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 6.

Specialty License Plate Applications: Rocky Mount Elk Foundation,  
Missouri Parks and Recreation Association, Missouri Association of Realtors.  
Request for Proposal (RFP).

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, January 22, 2008, 6:00 p.m. Hearing Room 5.

Organizational meeting.

Report on Missouri Health Insurance Pool Alternative Financing Study.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, January 22, 2008, 12:00 p.m. Hearing Room 6.

Committee will study all aspects of healthcare and how they relate to  
the problem of the uninsured in Missouri.

Executive session may follow.

Committee may reconvene upon adjournment. HR6 AMENDED

Public hearing to be held on: HB 1332

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 4.

Committee will study all aspects of healthcare and how they relate to  
the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to  
the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, January 23, 2008, 8:00 a.m. Hearing Room 1.

Organizational meeting.

Mr. Greg Steinhoff, Director of Economic Development and staff will address the committee.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, January 23, 2008, 8:00 a.m.

Division of Professional Registration and Licensing, 3605 Missouri Blvd., Jefferson City, MO.  
Informational meeting.

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 1.

Executive session to follow.

Public hearings to be held on: HB 1320, HB 1310, HB 1311

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 1426, HB 1430

**TRANSPORTATION**

Tuesday, January 22, 2008, 10:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1423

**HOUSE CALENDAR**

SEVENTH DAY, TUESDAY, JANUARY 22, 2008

**HOUSE BILLS FOR SECOND READING**

HB 1703 through HB 1744

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HB 2021 - Icet
- 2 HB 2022 - Icet
- 3 HB 2015 - Icet



# **JOURNAL OF THE HOUSE**

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTH DAY, TUESDAY, JANUARY 22, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray.

Lord God, we give thanks for the extra day at home and in our home districts, as we honored Dr. Martin Luther King Day. We thank You for the growth throughout our land of justice, equality and freedom, which flowed from his ministry.

May justice, equality and freedom continue to grow through our leadership.

Let us pray for those who have been suffering from the cold, from hunger or lack of housing, because of their poverty, inability to manage, or weakened health. Place people in their lives to help them. Guide us to do our part as legislators.

Let us pray, that the Holy Spirit be allowed into the political process everywhere in our country, so that virtuous and god-fearing people find their places on the ballots for elections at the national level.

Finally, Lord God, give us the grace, strength, and wisdom we need to accomplish well our work this week.

We praise You! For You are God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixth day was approved as printed.

## **HOUSE RESOLUTION**

Representative Jones (117) offered House Resolution No. 185.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 157 through House Resolution No. 184  
House Resolution No. 186 and House Resolution No. 187

## **HOUSE CONCURRENT RESOLUTIONS**

Representative Lampe offered House Concurrent Resolution No. 12 and House Concurrent Resolution No. 13.

**SECOND READING OF HOUSE BILLS**

**HB 1703** through **HB 1744** were read the second time.

**THIRD READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 2021**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2021** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Quinn 7

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 25	Bland	Bowman	Bringer	Cooper 120
Cooper 155	Sander	Schoemehl	Walton	

VACANCIES: 004

Speaker Pro Tem Pratt declared the bill passed.

**HB 2022**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2022** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Baker 25	Bland	Bowman	Bringer	May
Sander	Schoemehl	Walton		

VACANCIES: 004

Speaker Pro Tem Pratt declared the bill passed.

**HB 2015**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2015** was read the third time and passed by the following vote:

AYES: 152

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker 25	Bland	Bowman	Bringer	Sander
Schoemehl	Walton			

VACANCIES: 004

Speaker Pro Tem Pratt declared the bill passed.

## INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 14**, introduced by Representatives Talboy, Burnett, Bland, Curls, Hughes, McClanahan, El-Amin, Lowe (44), Lampe, Chappelle-Nadal, Low (39), Oxford, Harris (23), Bowman, Daus, Holsman, George, Donnelly, Nasheed and Storch, relating to the ratification of the Equal Rights Amendment to the United States Constitution.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 57**, introduced by Representatives Muschany, Yates, Nieves, Scharnhorst, Jones (89) and Brown (30), relating to limitations on property tax revenue.

**HJR 58**, introduced by Representatives Storch, Oxford, Baker (25), Burnett, Zimmerman, Daus, Yaeger, LeVota, Roorda, Hughes, Schieffer, Lampe, Villa, Darrough, Zweifel, Wildberger, McClanahan, Talboy, Grill and Low (39), relating to congressional and legislative redistricting.

**HJR 59**, introduced by Representatives Bruns, Nieves, Day, Dusenberg, Fisher, Moore and Page, relating to exemption of personal property for active duty military personnel.

## INTRODUCTION OF HOUSE BILL - APPROPRIATIONS

The following House Bill was read the first time and copies ordered printed:

**HB 2019**, introduced by Representative Icet, to appropriate money for supplemental purposes for the University of Missouri, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, from the funds designated for the fiscal period ending June 30, 2008.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1745**, introduced by Representatives Lampe, Talboy, Roorda, Oxford, Schieffer, Hughes, Zweifel, Corcoran and Curls, relating to gifted education.

**HB 1746**, introduced by Representatives Lampe, Talboy, Darrough, LeVota, Schieffer, Hughes, Harris (110), Baker (25), Meiners, Wildberger, Curls and Oxford, relating to identity theft.

**HB 1747**, introduced by Representatives Lampe, Talboy, Oxford, Darrough, Johnson, Corcoran, Meiners, Wildberger and Curls, relating to the director of the department of transportation.

**HB 1748**, introduced by Representatives Lampe, Talboy, Roorda, Oxford, Daus, Dougherty, Schieffer, Hughes, Baker (25), Low (39) and Curls, relating to school attendance.

**HB 1749**, introduced by Representatives Lampe, Talboy, Darrough, Schieffer, Hughes, Corcoran, Low (39), Curls and Oxford, relating to unsecured loans.

**HB 1750**, introduced by Representatives Lampe, Talboy, Darrough, Daus, Schieffer, Hughes, Johnson, Wildberger and Oxford, relating to transfer of patients in mental health facilities.

**HB 1751**, introduced by Representatives Lampe, Talboy, Oxford, Darrough, Schieffer and Roorda, relating to school safety.

**HB 1752**, introduced by Representatives Lampe, Talboy, Daus, Schieffer, Hughes, Low (39) and Oxford, relating to quality rating system for child care facilities.

**HB 1753**, introduced by Representatives Lampe, Low (39), Wildberger, Schieffer and Oxford, relating to health insurance coverage for autism spectrum disorder.

**HB 1754**, introduced by Representatives Lampe, Darrough, Harris (110), Low (39), Wildberger and Oxford, relating to elected officials.

**HB 1755**, introduced by Representatives Curls, Talboy, Bland and Hughes, relating to recording fees.

**HB 1756**, introduced by Representatives Walton, Moore, Bruns, Wallace, Wildberger, Dusenber, Johnson, Schieffer, Bowman, Grill, Darrough, Norr, Wilson (119), Wright, Yaeger and Rucker, relating to counterfeiting.

**HB 1757**, introduced by Representatives Davis, Harris (110), Ruestman and George, relating to employment of illegal aliens.

**HB 1758**, introduced by Representatives Davis, Roorda, Harris (110) and Schieffer, relating to adoption records.

**HB 1759**, introduced by Representatives Storch, Oxford, Baker (25), Burnett, Zimmerman, Roorda, Schieffer, Lampe, Darrough, Wildberger, Talboy and Grill, relating to crime of bribery of a public servant.

**HB 1760**, introduced by Representatives Storch, Oxford, Baker (25), Burnett, Roorda, Schieffer, Lampe, Darrough, Wildberger and Talboy, relating to the use of private airplanes by certain elected officials.

**HB 1761**, introduced by Representatives Storch, Oxford, Baker (25), Burnett, Yaeger, Roorda, Schieffer, Lampe, Darrough, Talboy and Grill, relating to initiative or referendum petitions.

**HB 1762**, introduced by Representatives Storch, Oxford, Grill, Baker (25), Burnett, Holsman, Yaeger, LeVota, Roorda, Schieffer, Lampe, Darrough, Talboy and Low (39), relating to the twenty-first century scholars program.

**HB 1763**, introduced by Representative Parson, relating to petition circulators.

**HB 1764**, introduced by Representative Parson, relating to the establishment and adoption of certain fine schedules for the court.

**HB 1765**, introduced by Representative Parson, relating to the closing of certain concealable firearms records.

**HB 1766**, introduced by Representatives Wildberger, Lowe (44), Meiners, Johnson, Nance, Walsh and Darrough, relating to payment of property taxes.

**HB 1767**, introduced by Representatives Wildberger, Nance, Walsh, Dusenberg, Darrough, Meiners, Johnson, Dougherty and Schieffer, relating to the reporting of certain illegal aliens to the federal authorities.

**HB 1768**, introduced by Representatives Wildberger, Walsh, Talboy, Schieffer, Johnson and Darrough, relating to compensation for certain injured workers.

**HB 1769**, introduced by Representatives Wildberger, Nance, Darrough, Moore, Walsh and Schieffer, relating to the connecting of utilities in one's own name.

**HB 1770**, introduced by Representatives Wildberger, Lowe (44), Walsh, Talboy, Moore, Nance, Johnson and Darrough, relating to the cause of death for an inmate in the department of corrections.

**HB 1771**, introduced by Representatives Jones (117), Nance, Ervin, Fisher, Stream, Muschany, Jones (89), Ruzicka, Dusenberg, Lembke, Portwood, Weter, Wallace, McGhee, Dougherty, Parson, Nieves, Munzlinger, Wilson (119), Wright, Faith, Loehner, Schad, Brown (30), Schneider, Moore, Cooper (155), Sander, Wasson and Ruestman, relating to immigration.

**HB 1772**, introduced by Representatives Jones (117), Deeken, Villa, Daus, Komo, Vogt, Sutherland, Jones (89), Cooper (120), Parson, St. Onge, Onder, Schlottach, Pratt, Wilson (119) and Zweifel, relating to the enforcement of traffic control signal violations.

**HB 1773**, introduced by Representatives Funderburk, Sater, Grisamore, Davis, Smith (14), Schoeller, Onder, Jones (89), Harris (110), Nasheed, Faith, Stream and Emery, relating to Missouri dependency exemptions.

**HB 1774**, introduced by Representatives Wallace and Lampe, relating to the Missouri public school retirement system.

**HB 1775**, introduced by Representatives Thomson, Pearce, McClanahan, Ruzicka, Denison, Stevenson, Deeken, Bruns and Funderburk, relating to college or university police officers.

**HB 1776**, introduced by Representatives Talboy, Zimmerman, Burnett, Bland, Curls, Hughes, Spreng, Lampe, Harris (23), Chappelle-Nadal, Bowman, Daus, Low (39), Oxford, Lowe (44), Yaeger, Dougherty, Darrough, Donnelly, Schneider, Norr, Fallert, Wildberger, Holsman, Johnson, Villa, Meiners, Rucker, George, Zweifel, Corcoran, Brown (50), Nasheed, Wright-Jones, Storch, Walsh, Schoemehl, El-Amin, Vogt, Young, Hubbard and Meadows, relating to discrimination based on sexual orientation.

**HB 1777**, introduced by Representatives Talboy, Low (39), Oxford, Yaeger, Chappelle-Nadal, Lampe, Grill and Spreng, relating to animal neglect.

**HB 1778**, introduced by Representatives Talboy, Burnett, Cooper (120), Meiners, Lowe (44), Low (39), Wildberger, George, Oxford, Holsman, Bland, Curls, Hubbard, Hughes, Daus, Johnson, Chappelle-Nadal, Villa, Skaggs, Tilley, Moore, Ruestman, Silvey, Young, Quinn (7), Meadows, Parson and Jones (117), relating to the duties of the board of probation and parole.

**HB 1779**, introduced by Representatives Emery, Smith (14), Funderburk, Pratt, Tilley, Kraus, Cooper (120), Scharnhorst, Schoeller, Dusenberger, Viebrock, George, Flook, Nolte, Bivins, McGhee, Aull, Portwood, Deeken, Wright, Cunningham (86), Yates, Richard, Grisamore, Faith and Fisher, relating to telecommunications services.

The following member's presence was noted: Bland.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, January 23, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint committee meeting with Agriculture Policy and Special Committee on Agri-business.

\Committee members will be meeting John B. Askew, Regional Administrator EPA Region 7.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 3.

Continuation of Department fee funds presentations and begin

Department presentations on the FY'09 Budget.

Public testimony for the Department of Agriculture. AMENDED

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 1.

Public testimony.



APPROPRIATIONS - GENERAL ADMINISTRATION

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 3.

Office of Administration statewide real estate and other

Office of Administration divisions as time permits.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, January 23, 2008, 5:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 1314

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

JOINT COMMITTEE ON TRANSPORTATION OVERSIGHT

Wednesday, January 23, 2008, 2:00 p.m. Hearing Room 6.

Specialty License Plate Applications: Rocky Mount Elk Foundation,

MO Park and Recreation Association, MO Association of Realtors.

Request for Proposal (RFP).

SPECIAL COMMITTEE ON AGRI-BUSINESS

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint meeting Agriculture Policy and Special Committee on Agri-business.

The purpose is to meet Mr. John B. Askew, Regional Administrator for EPA Region 7.

SPECIAL COMMITTEE ON GENERAL LAWS

Wednesday, January 23, 2008, 3:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1595, HJR 55

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 4.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow bill testimony. AMENDED

Public hearing to be held on: HB 1332

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, January 23, 2008, 5:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1538, HB 1463

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, January 23, 2008, 8:00 a.m. Hearing Room 1.

Organizational meeting.

Mr. Greg Steinhoff, Director of Economic Development and staff will address the committee.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, January 23, 2008, 8:00 a.m.

Division of Professional Registration and Licensing, 3605 Missouri Blvd. Jefferson City, MO.  
Informational meeting.

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, January 23, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1380, HB 1347

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 1.

Executive session to follow.

Public hearings to be held on: HB 1320, HB 1310, HB 1311

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, January 23, 2008, 12:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 1426, HB 1430

**WAYS AND MEANS**

Thursday, January 24, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 1365, HB 1437, HB 1598, HJR 43

**HOUSE CALENDAR**

EIGHTH DAY, WEDNESDAY, JANUARY 23, 2008

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 14

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 57 through HJR 59

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 2019

**HOUSE BILLS FOR SECOND READING**

HB 1745 through HB 1779

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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EIGHTH DAY, WEDNESDAY, JANUARY 23, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are God and earnestly we seek You. We thank You that You hear and answer prayer. How awesome You are.

Though there are issues that often seem to divide us, we stand here in Your presence as one people, with a passionate desire to fulfill the purpose to which we are called. We remain strong and resolute and we keep our priorities straight; God, family, and the business of state. Therefore we look to You, asking of You wisdom and understanding that we may remain focused and on point, not allowing distractions to derail us from fulfilling Your plan.

May we build on past successes, learn from past mistakes and enjoy the remarkable transformation unfolding before us, as we yield to You.

Now unto Him who is able to keep us from stumbling and in acknowledgment of Your presence, we ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ella Jean Skaggs, Cora Elizabeth Skaggs and Levi Matthew Skaggs.

The Journal of the seventh day was approved as printed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany

Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Daus	Lowe 44	Talboy	Vogt	Young
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PRESENT: 001

George

ABSENT WITH LEAVE: 009

Bowman	Bringer	Cooper 155	Dougherty	May
Moore	Parson	Schneider	Walton	

VACANCIES: 004

Speaker Pro Tem Pratt assumed the Chair.

### **SPECIAL RECOGNITION**

Harry Besleme was introduced by Representative Harris (23) and recognized as an Outstanding Missourian.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 188 through House Resolution No. 217

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 14** was read the second time.

### **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 57** through **HJR 59** were read the second time.

**SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 2019** was read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 1745** through **HB 1779** were read the second time.

**REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 1668** - Special Committee on General Laws

**INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was read the first time and copies ordered printed:

**HB 2020**, introduced by Representative Icet, to appropriate money for supplemental purposes for the several departments and offices of state government, for the purchase of equipment, and for planning expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, from the funds designated for the fiscal period ending June 30, 2008.

**INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1780**, introduced by Representatives Darrough, Wells, Curls, Weter, Roorda, Hodges, Wildberger, Harris (110), Yaeger, Kuessner, Daus, Spreng, Frame, Liese, Schieffer, Corcoran, Talboy, Meadows, Lowe (44), George, Casey, Harris (23) and Rucker, relating to motor vehicle registration notices.

**HB 1781**, introduced by Representative Skaggs, relating to state buildings.

**HB 1782**, introduced by Representative Tilley, relating to levee districts.

**HB 1783**, introduced by Representatives Meadows, Dusenberg, Casey, Frame, Komo, Roorda, Grill, Wildberger, Schieffer, Johnson, Fallert, Harris (110), Walsh and Scharnhorst, relating to flying flags at half-staff.

**HB 1784**, introduced by Representatives Meadows, Day, Wildberger, George, Lowe (44), Grill, McGhee, Roorda, Komo, Casey, Frame, Fallert, Fisher, Wallace, Hughes, Moore, Dusenberg, Schieffer, Baker (25), Harris (110), Walsh, Lampe and Scharnhorst, relating to flags flown over state buildings.

**HB 1785**, introduced by Representatives Meadows, Dougherty, Wildberger, Roorda, Schieffer, Darrough and Walsh, relating to counseling for railroad workers.

**HB 1786**, introduced by Representatives Meadows, Schieffer, Yaeger, Fallert, Wildberger, Roorda, Dougherty and Walsh, relating to highway pavement management.

**HB 1787**, introduced by Representatives Thomson, Cunningham (145), Hunter and Day, relating to obsolete workplace safety and health statutes.

**HB 1788**, introduced by Representatives Day, Wasson, Jetton, Walton, Pearce, Dougherty, Pollock, Deeken, Meadows, Holsman, Kraus, Grill, Nolte, Stream, Wilson (130), Wallace, Roorda, Baker (123), Smith (14), Schoeller, Funderburk, Pratt, Wood, Ervin, Dixon, Portwood, Sander, Flook, Casey, Dusenberg, Yates, Brown (30), Cunningham (86), May, Denison, Richard, Wilson (119), Whorton, Page, Avery, Silvey, Salva, Lembke, Jones (89), Nance, Wright, Nieves, Grisamore, Ruzicka, Faith, Hobbs, Norr, Schieffer, Aull, Schad, Sater, Bandom, Scharnhorst and Smith (150), relating to exempting military pensions from income tax.

**HB 1789**, introduced by Representatives Lembke, Portwood, Bivins and Avery, relating to waste collection in certain counties.

**HB 1790**, introduced by Representatives Cooper (155), Stevenson, Swinger, Schaaf, Sater and May, relating to a time critical diagnosis system.

**HB 1791**, introduced by Representatives Cooper (155), Burnett, Stevenson and Hodges, relating to licensed professional counselors.

**HB 1792**, introduced by Representatives Cooper (155), Burnett, Hodges, Stevenson and Ruzicka, relating to licensed professional counselors.

**HB 1793**, introduced by Representatives Cooper (155) and Stevenson, relating to the board of health and senior services.

**HB 1794**, introduced by Representatives Deeken and Lampe, relating to state procurement.

**HB 1795**, introduced by Representatives Pollock, Smith (150), Wells, Emery, Faith, Wallace, Loehner, Portwood, Denison, Franz, Sander, Wood, Burnett, Nieves, Cunningham (86), Davis, Kelly, May, Sater, Onder, Funderburk, Pearce, Jones (89), Schad, Cooper (155), Flook, Ruzicka, Stream, Wright and Cox, relating to endangering the welfare of a child or unborn child.

**HB 1796**, introduced by Representatives Schieffer, Onder, Donnelly, Hodges, Aull, Page, LeVota, Dougherty, Whorton, Darrough, Wildberger, Quinn (9), Casey, Oxford, Salva, Meadows, Kuessner, Holsman, Komo, Corcoran, Lowe (44), Frame, Hughes, Liese, George, Shively, Low (39), Nasheed, Wright-Jones, Deeken, Stream, Wright, Schneider, Tilley, Harris (110), Skaggs, Wilson (119), Brown (50), Funderburk, Jones (89), Sander and Faith, relating to deceptive advertising practices.

**HB 1797**, introduced by Representatives Viebrock, Quinn (7), Loehner, Wilson (119), Munzlinger, Jones (117), Hobbs, Self and Stevenson, relating to disposal of dead animals.

**HB 1798**, introduced by Representatives Ruzicka, Sater, Wilson (130), Cunningham (145), Schad, Kraus, Thomson, Quinn (7), Pollock, Nolte, Munzlinger, Sander, Nance, Funderburk, Hobbs, Moore, Smith (150), Dixon, Wilson (119), Denison, Fisher, Dougherty, Wells, Wood, Viebrock, Dethrow, Wallace, Schoeller, Stream, Wright, Schlottach, McGhee, Day, Franz, Tilley, Jones (117), Parson, Whorton, Bivins, May, Ruestman, Schieffer, Todd, Norr, Quinn (9), Nieves, Schaaf, Scharnhorst, Stevenson, Schneider, Weter, Loehner, Casey and Cooper (155), relating to the landowner liability protection act.

**HB 1799**, introduced by Representatives Ruzicka, Jones (117), Funderburk, Onder, Darrough, Dougherty, Wilson (119), Fisher and Ruestman, relating to the statute of limitations.

**HB 1800**, introduced by Representative Smith (14), relating to teenage drivers.

**HB 1801**, introduced by Representatives Daus, Stevenson, May, Jones (117), Salva, Jones (89), Johnson, Yates, Flook, Cox, Bringer, Vogt, Casey, Smith (150), McGhee, Wilson (119), Dougherty, Villa, Darrough, Schneider, Witte, Chappelle-Nadal, Robb, Burnett and Schieffer, relating to landlord-tenant actions.

**HB 1802**, introduced by Representatives Wilson (130), Kingery, Fisher, Schoeller, Stevenson, Ruestman, Kraus, Sater, Cunningham (86), Moore, Meiners, Dougherty, Nieves and Portwood, relating to suspension or expulsion of students.

**HB 1803**, introduced by Representatives Kelly, Dethrow, Sater, Wallace, Smith (150), Whorton and Wells, relating to the national animal identification system.

**HB 1804**, introduced by Representatives Corcoran and Darrough, relating to home-rule cities.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Brown (30) has been appointed a member of the Special Committee on Urban Issues.

Representative Funderburk has been appointed a member of the Special Committee on Student Achievement.

Representative Komo is no longer a member of the Special Committee on Veterans.

Representative Kuessner has been appointed a member of the Special Committee on Professional Registration and Licensing.

Representative McGhee has been appointed a member of the Appropriations - General Administration Committee.

Representative Page has been appointed a member of the Special Committee on Veterans.



Representative Pratt is no longer a member of the Special Committee on Urban Issues.

Representative Zweifel has been appointed a member of the Special Committee on Retirement.

The following members' presence was noted: Cooper (155), May, Moore, Parson and Walton.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, January 24, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint committee meeting with Agriculture Policy and Special Committee on Agri-business.

Committee members will be meeting John B. Askew, Regional Administrator EPA Region 7.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget overview for the Department of Health and Senior Services.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Monday, January 28, 2008, 10:00 a.m. Hearing Room 6.

Budget overview for the Department of Social Services.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 5.

Budget overview for the Department of Social Services.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 5.

Budget overview for the Department of Social Services.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 5.

Budget overview for the Department of Social Services.

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1352, HB 1404, HB 1405, HB 1468, HB 1619

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint meeting Agriculture Policy and Special Committee on Agri-business.

The purpose is to meet Mr. John B. Askew, Regional Administrator for EPA Region 7.

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 4.

Committee will meet at 12:00 p.m. or upon morning adjournment.

Public hearings to be held on: HB 1326, HB 1485, HB 1499

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 24, 2008, 8:00 a.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow bill testimony. AMENDED

Public hearing to be held on: HB 1332

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, January 28, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

Public hearing to be held on: HB 1386

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1313, HB 1518, HB 1562, HCR 5

**WAYS AND MEANS**

Thursday, January 24, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session. AMENDED

Public hearings to be held on: HB 1365, HB 1598, HJR 43

**HOUSE CALENDAR**

NINTH DAY, THURSDAY, JANUARY 24, 2008

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 2020

**HOUSE BILLS FOR SECOND READING**

HB 1780 through HB 1804

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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NINTH DAY, THURSDAY, JANUARY 24, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

*Bless the Lord, ice and cold,  
Sing praise to Him and highly exalt Him forever.  
Bless the Lord, frosts and snows,  
Sing praise to Him and highly exalt Him forever.  
(Daniel 3:49-50, RSV)*

Almighty God, the frost and cold bring us no harm, but stimulate us to be bright and alert for the work of the day. For this we thank You. We pray for those who suffer in the cold.

In view of all that is going on in State government and in our work, guide us by the light of the Holy Spirit. In the same Holy Spirit, help us always to relish what is right, and to rejoice in Your consolation.

To You be glory and honor now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Leah Pratt and Benjamin Pratt.

The Journal of the eighth day was approved as corrected by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves

Nolte	Norr	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Daus	Lowe 44	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 013

Bowman	Bringer	Donnelly	El-Amin	Funderburk
Hubbard	LeVota	Meadows	Oxford	Page
Robinson	Schneider	Young		

VACANCIES: 004

### **SPECIAL RECOGNITION**

The Waynesville High School Football Tigers were introduced by Representative Day and recognized for attaining the Class 5 State Football Championship.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 218 through House Resolution No. 257

### **HOUSE CONCURRENT RESOLUTIONS**

Representative Kuessner, et al., offered House Concurrent Resolution No. 15.  
Representative Bivins, et al., offered House Concurrent Resolution No. 16.

### **SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 2020** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 1780** through **HB 1804** were read the second time.

## **REFERRAL OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were referred to the Committee indicated:

**HB 2019** - Budget

**HB 2020** - Budget

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 57** - Ways and Means

**HJR 59** - Ways and Means

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1317** - Elections

**HB 1319** - Special Committee on Job Creation and Economic Development

**HB 1343** - Ways and Means

**HB 1346** - Ways and Means

**HB 1349** - Ways and Means

**HB 1355** - Local Government

**HB 1358** - Judiciary

**HB 1359** - Judiciary

**HB 1360** - Judiciary

**HB 1366** - Ways and Means

**HB 1370** - Ways and Means

**HB 1377** - Ways and Means

**HB 1381** - Special Committee on Immigration

**HB 1410** - Crime Prevention and Public Safety

**HB 1412** - Crime Prevention and Public Safety

**HB 1420** - Transportation

**HB 1434** - Special Committee on Immigration

**HB 1467** - Ways and Means

**HB 1471** - Ways and Means

**HB 1474** - Special Committee on Financial Institutions

**HB 1481** - Crime Prevention and Public Safety

**HB 1484** - Rules

**HB 1497** - Judiciary

**HB 1498** - Judiciary

**HB 1511** - Special Committee on Utilities

**HB 1512** - Special Committee on Utilities

**HB 1522** - Elections

**HB 1525** - Crime Prevention and Public Safety

**HB 1527** - Crime Prevention and Public Safety

**HB 1528** - Special Committee on Government Affairs  
**HB 1543** - Transportation  
**HB 1551** - Special Committee on Tax Reform  
**HB 1554** - Special Committee on Student Achievement  
**HB 1571** - Crime Prevention and Public Safety  
**HB 1572** - Special Committee on Family Services  
**HB 1582** - Special Committee on Utilities  
**HB 1587** - Judiciary  
**HB 1594** - Crime Prevention and Public Safety  
**HB 1600** - Special Committee on Professional Registration and Licensing  
**HB 1608** - Special Committee on Government Affairs  
**HB 1623** - Judiciary  
**HB 1628** - Ways and Means  
**HB 1631** - Transportation  
**HB 1640** - Special Committee on Family Services  
**HB 1643** - Special Committee on Professional Registration and Licensing  
**HB 1650** - Special Committee on Workforce Development and Workplace Safety  
**HB 1651** - Special Committee on General Laws  
**HB 1654** - Special Committee on Immigration  
**HB 1655** - Special Committee on Immigration  
**HB 1656** - Special Committee on Senior Citizen Advocacy  
**HB 1657** - Judiciary  
**HB 1661** - Special Committee on Tax Reform  
**HB 1669** - Special Committee on Retirement  
**HB 1670** - Ways and Means  
**HB 1689** - Special Committee on Health Insurance  
**HB 1690** - Special Committee on Health Insurance  
**HB 1694** - Ways and Means  
**HB 1695** - Ways and Means  
**HB 1696** - Transportation  
**HB 1698** - Higher Education  
**HB 1700** - Special Committee on Professional Registration and Licensing  
**HB 1701** - Special Committee on Professional Registration and Licensing  
**HB 1704** - Elementary and Secondary Education  
**HB 1711** - Local Government  
**HB 1712** - Crime Prevention and Public Safety  
**HB 1722** - Elementary and Secondary Education  
**HB 1724** - Crime Prevention and Public Safety  
**HB 1733** - Ways and Means  
**HB 1736** - Special Committee on Immigration  
**HB 1737** - Elementary and Secondary Education  
**HB 1756** - Special Committee on Homeland Security  
**HB 1757** - Special Committee on Immigration  
**HB 1763** - Special Committee on General Laws  
**HB 1766** - Ways and Means  
**HB 1767** - Special Committee on Immigration  
**HB 1771** - Special Committee on Immigration

**HB 1774** - Special Committee on Retirement

**HB 1779** - Special Committee on Utilities

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1805**, introduced by Representatives Schaaf, Portwood, McGhee, Onder, Page, Roorda, Silvey, Scharnhorst, Munzlinger and Avery, relating to insurance co-payments for prescription drugs.

**HB 1806**, introduced by Representatives Schaaf, McGhee, Onder, Page, Hunter and Ervin, relating to certificate of need.

**HB 1807**, introduced by Representatives Cox, Nance, Grisamore, Faith, Wallace, Darrough, Norr, Wilson (119) and Ruestman, relating to Missouri schools for the severely disabled.

**HB 1808**, introduced by Representative Cox, relating to workers' compensation.

**HB 1809**, introduced by Representatives Ruzicka, Darrough, Bruns, Dougherty, Wilson (119), Bivins, Munzlinger, Fisher, Wilson (130), Hobbs, Faith, Sander, Moore, Flook, Wasson, Portwood, Nieves and Ruestman, relating to identity theft protection.

**HB 1810**, introduced by Representatives Cooper (120) and Skaggs, relating to sales and use taxes on manufacturing.

**HB 1811**, introduced by Representatives Hunter, Robb, Emery, Fisher, Portwood, Munzlinger and Schad, relating to employee rights.

**HB 1812**, introduced by Representatives Nolte, Nance, Nieves, Funderburk, Ervin, Meiners, Weter, Dougherty, Ruestman, Schneider, Schad and Sander, relating to penalties for delinquent taxes.

**HB 1813**, introduced by Representatives Dougherty, Young, Nance, Deeken, Dusenberg, Bivins, Stream, Nolte and Wasson, relating to exemptions for veteran's organizations from certain taxes.

**HB 1814**, introduced by Representatives Flook, Schneider, Grill, Silvey, Dougherty, Ruestman, Kraus, Yates and Davis, relating to the penalty for certain sexual offenses.

**HB 1815**, introduced by Representative Portwood, relating to patient health care records.

**HB 1816**, introduced by Representatives LeVota, Frame, Skaggs, Talboy, Baker (25), Page, Bland, Komo, Portwood, Johnson, Bowman, Yaeger, Walsh, Roorda, Wildberger, McGhee, Meadows, Schieffer, George and Darrough, relating to the health care whistleblower protection act.

**HB 1817**, introduced by Representatives Zweifel, Grill, LeVota, Meiners, Oxford, Page, Talboy, Yaeger and Wildberger, relating to securities.



**HB 1818**, introduced by Representatives Zweifel, Grill, LeVota, Meiners, Oxford, Page, Talboy, Yaeger and Wildberger, relating to securities regulation.

**HB 1819**, introduced by Representatives Roorda, Harris (110), Meadows, Frame, Komo and Fallert, relating to scenic byways.

**HB 1820**, introduced by Representative Roorda, relating to the right to petition for a trial de novo.

**HB 1821**, introduced by Representatives Bowman and Low (39), relating to voting systems.

**HB 1822**, introduced by Representatives Bowman, Talboy, Darrough and Hughes, relating to voter registration.

**HB 1823**, introduced by Representatives Funderburk, Deeken, Denison, Wilson (119), Dusenberg, Dethrow, Hodges, Nieves, Nolte, Brown (30), Wells, McGhee, Scharnhorst, Meadows, Munzlinger, Wilson (130), Grill, Faith, Fisher, Walton and Smith (14), relating to flags.

**HB 1824**, introduced by Representatives Schlottach and Quinn (7), relating to the official state dessert.

**HB 1825**, introduced by Representatives Komo, Wildberger, Dougherty, Whorton, Meadows, George, Schieffer and Baker (25), relating to state contracts.

**HB 1826**, introduced by Representatives Komo, Wildberger, Darrough, Meadows, George and Schieffer, relating to impersonating a minor.

**HB 1827**, introduced by Representative Sutherland, relating to manufactured homes.

**HB 1828**, introduced by Representative Sutherland, relating to sales and use tax regulations.

**HB 1829**, introduced by Representatives Storch and Pratt, relating to the Missouri family trust.

**HB 1830**, introduced by Representatives Young, Chappelle-Nadal, Villa, Lowe (44), Meiners, Daus, Spreng, Walsh, Low (39), Vogt and Burnett, relating to the use for marijuana for medicinal purposes.

**HB 1831**, introduced by Representatives Onder, Cooper (155), Cunningham (86), Sander, Muschany, Nolte, Fisher, Jones (89), Schoeller, Pearce, Moore, Cox, Ervin, Meadows, Bruns, Lembke, Emery, Day, Yates, Portwood, Deeken, Schieffer, Harris (110), Ruzicka, Thomson, McGhee, Villa, Sutherland, Wright, Funderburk, Ruestman, Wood, Nieves and Dusenberg, relating to abortion.

**HB 1832**, introduced by Representatives Cooper (120), Scharnhorst, Yates, Sutherland, Schlottach, Threlkeld, Bivins, Onder, Richard, Parson, Schneider, Jones (89), Deeken, Faith, Hobbs, Moore, Hunter, Meiners, McGhee, Smith (150), Stream, Casey and Schad, relating to the Missouri county planning act.

**HB 1833**, introduced by Representative Bland, relating to certain health care benefits.

**HB 1834**, introduced by Representative Bland, relating to obesity.

**HB 1835**, introduced by Representative Bland, relating to the coordination of school health programs.

**HB 1836**, introduced by Representatives Flook, Brown (30), Ervin, Nance and Robb, relating to assessment and levy of property taxes.

**HB 1837**, introduced by Representatives Low (39), Schieffer, Nasheed, Walsh, Dougherty, Lowe (44), Roorda, Oxford, Hughes and Chappelle-Nadal, relating to compensation for wrongful imprisonment.

**HB 1838**, introduced by Representatives Low (39), Page, Schieffer, Walsh, Dougherty, Wildberger, Roorda, Meiners, Oxford, Darrough, Hughes, Lampe and Chappelle-Nadal, relating to health insurance coverage for cervical cancer testing.

**HB 1839**, introduced by Representatives Low (39), Schieffer, Walsh, Dougherty, Lowe (44), Wildberger, Roorda, Meiners, Oxford, Hughes and Lampe, relating to drug testing of rape victims.

**HB 1840**, introduced by Representatives Low (39), Dougherty and Hughes, relating to paid family leave.

**HB 1841**, introduced by Representatives Low (39), Walsh, Grill, Lowe (44), Schieffer, Meiners, Oxford and Lampe, relating to drivers' licenses.

**HB 1842**, introduced by Representatives Low (39), Walsh, Meiners, Oxford and Hughes, relating to the reduction of carbon dioxide emissions.

**HB 1843**, introduced by Representatives Low (39), Schieffer, Walsh, Lowe (44), Oxford, Hughes and Lampe, relating to lenders of unsecured loans.

**HB 1844**, introduced by Representatives Low (39), Schieffer, Roorda, Wildberger, Lowe (44), Oxford, Hodges, Lampe and LeVota, relating to prohibited acts by appointed public officials.

**HB 1845**, introduced by Representatives Low (39), Walsh, Dougherty, Meiners, Oxford and Lampe, relating to motor vehicle windshield stickers.

**HB 1846**, introduced by Representatives Low (39), Walsh, Lowe (44), Roorda, Meiners, Oxford, Hughes and Lampe, relating to the posting of nurse staffing levels at hospitals.

**HB 1847**, introduced by Representatives Low (39), Lampe and Chappelle-Nadal, relating to wild animals.

**HB 1848**, introduced by Representatives Low (39), Oxford, Chappelle-Nadal and Lampe, relating to spaying and neutering of dogs and cats.

**HB 1849**, introduced by Representatives Pratt and Curls, relating to zoning violation remedies.

**HB 1850**, introduced by Representatives Pratt and Yates, relating to the asbestos and silica claims priorities act.

**HB 1851**, introduced by Representatives Thomson, Nolte, Nance, Fisher, Brandom, Smith (150) and Denison, relating to minimum wage law.

**HB 1852**, introduced by Representatives Smith (14), Funderburk, Faith, Onder, Davis, Pratt, Tilley, Bivins, Meadows, Ruestman, Nance, Sander, Schieffer, Roorda, Darrough, Nieves, Moore, Lampe and Bruns, relating to crimes involving harassment.

**HB 1853**, introduced by Representatives Bivins, Sander, Harris (110) and Dougherty, relating to minutes of public governmental body meetings.

**HB 1854**, introduced by Representatives Bivins, Munzlinger, Moore and Sander, relating to environmental audits.

**HB 1855**, introduced by Representatives Harris (23), Bruns, Quinn (9), Darrough, Grill, George, Onder, Kraus, Burnett, Roorda, Lampe, Wildberger, Yaeger, Scavuzzo, Meadows, Schieffer, Schneider and Hodges, relating to Karra's and Jocelyn's law.

**HB 1856**, introduced by Representatives Johnson, Kuessner, George, Walsh, Burnett, Low (39), Casey, Todd, Corcoran, Dougherty, Harris (23), Meadows, Oxford, Harris (110), Norr, Nasheed, McClanahan, Talboy, Vogt, Storch, Villa, Meiners, Hughes, Lampe, Donnelly, Grill, Curls, Stevenson, Darrough, Wildberger, Schieffer, Whorton, Roorda, Scavuzzo and Walton, relating to trademark registrations.

**HB 1857**, introduced by Representatives Schaaf and Hunter, relating to health insurance plans.

**HB 1858**, introduced by Representatives Emery, Jones (89), Cox, St. Onge, Aull, Deeken, Ruestman, Bivins, Dixon and Sander, relating to the Missouri human rights act.

**HB 1859**, introduced by Representatives Baker (25), Roorda, Grill, Wildberger, Low (39), Schieffer, Schoeller, Holsman, Darrough, Rucker and Lampe, relating to renewable energy research.

**HB 1860**, introduced by Representatives Baker (25), Roorda, Wildberger, Low (39), Lampe, Holsman, Darrough and Rucker, relating to the disclosure of energy efficiency rating of new residential homes.

**HB 1861**, introduced by Representatives Baker (25), Roorda, Grill, Darrough, Rucker, Holsman, Wildberger, Low (39) and Lampe, relating to renewable energy trends.

**HB 1862**, introduced by Representatives Baker (25), Holsman, Low (39), Grill, Wildberger, Lampe, Corcoran, Darrough, Schieffer and Oxford, relating to renewable energy.

**HB 1863**, introduced by Representatives Baker (25), Holsman, Low (39), Oxford, Darrough, Wildberger and Lampe, relating to energy conservation.

**HB 1864**, introduced by Representatives Parson and Jones (117), relating to licenses to operate an excursion gambling boat.

**HB 1865**, introduced by Representatives Curls, Hubbard, Talboy, Bland, Hoskins and Hughes, relating to tax increment financing projects.

**HB 1866**, introduced by Representatives Scavuzzo, Baker (25), Yaeger, Wildberger, Darrough, Walsh, Aull, Whorton, Norr, Witte, Hodges, Todd, Harris (110), Holsman, Hughes, Talboy, Burnett, Salva, Shively, Skaggs, Frame, Brown (50), Quinn (9), Zimmerman, George, Casey, Schieffer, Nasheed, Lampe, Swinger, Chappelle-Nadal and Harris (23), relating to license fee revenue.

**HB 1867**, introduced by Representative Scavuzzo, relating to public safety sales taxes.

**HB 1868**, introduced by Representatives McClanahan, Chappelle-Nadal, Curls, Komo, Aull, Hodges, Rucker, Quinn (9), Witte, Donnelly, Bringer, LeVota, Meadows, Zimmerman, Skaggs, Schoemehl, Wildberger, Storch, Page, Hughes, Bland, Zweifel, Villa, Swinger, Hoskins, Johnson, Haywood, Fallert, Roorda, Holsman, Oxford, Darrough, Lowe (44), Frame, Schieffer, Yaeger, Shively, Hubbard, Dougherty, Casey, Nasheed, Kuessner, Liese, Daus, Brown (50), Norr, Burnett, Lampe, Corcoran, Todd, Scavuzzo, Harris (110), Meiners, Walsh, Harris (23), Young, El-Amin, Salva, Wright-Jones, Bowman, Low (39), Walton, Baker (25), George, Talboy, Grill and Vogt, relating to health care benefits.

The following members' presence was noted: Bowman, El-Amin, Funderburk, Hubbard and Meadows.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, January 28, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Eighth Day, Wednesday, January 23, 2008, Page 104, Line 5, by inserting immediately after the name "Cooper (155)," the name "Dougherty".

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint committee meeting with Agriculture Policy and Special Committee on Agri-business.

Committee members will be meeting John B. Askew, Regional Administrator EPA Region 7.

**APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 4.

Public testimony Department of Natural Resources and begin

Department of Natural Resources presentation of the FY09 budget.

**APPROPRIATIONS - EDUCATION**

Monday, January 28, 2008, 11:00 a.m. Hearing Room 1.

Budget presentation from the Department of Elementary and Secondary Education.

**APPROPRIATIONS - EDUCATION**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 3.

Budget presentation from the Department of Elementary and Secondary Education continued.

**APPROPRIATIONS - EDUCATION**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 1.

Overview and budget presentation from the Department of Higher Education.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 3.

Office of Administration statewide real estate.

Office of Administration budget requests including public debt.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 3.

Office of Administration budget requests including public debt.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 7.

Statewide elected officials: Governor, Lt. Governor, Secretary of State,

State Auditor, State Treasurer, Attorney General.

Department of Revenue if time permits.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Monday, January 28, 2008, 10:00 a.m. Hearing Room 6.

Budget overview for the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 5.

Budget overview for the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 5.

Budget overview for the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 5.

Budget overview for the Department of Social Services.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 6.

Presentation of Governor's budget recommendations for Public Safety and Corrections.

Executive session may follow.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 30, 2008, 8:00 a.m. Hearing Room 3.

Presentation of Governor's budget recommendations for Public Safety and Corrections.

Executive session may follow.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, January 29, 2008, 5:00 p.m. Hearing Room 3.

Testimony by Innovation Centers.

Decision items presentation by the Department of Economic Development.

Executive session may follow.

**BUDGET**

Monday, January 28, 2008, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2019, HB 2020

**BUDGET**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2019, HB 2020

**CONSERVATION AND NATURAL RESOURCES**

Monday, January 28, 2008, 2:00 p.m. Hearing Room 5.

Informational meeting to be held in conjunction with the joint meeting of the Agriculture Policy and Agri-business committees.

Discussion on bio-mass renewable energy.

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1352, HB 1404, HB 1405, HB 1468, HB 1619

**ELECTIONS**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 5.

Public hearings to be held on: HB 1407, HJR 39, HJR 40

**HEALTH CARE POLICY**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1504, HB 1625, HB 1398

JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

JUDICIARY

Monday, January 28, 2008, Hearing Room 1 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1469, HB 1460, HB 1550

SPECIAL COMMITTEE ON AGRI-BUSINESS

Monday, January 28, 2008, 12:30 p.m. Hearing Room 5.

Joint meeting Agriculture Policy and Special Committee on Agri-business.

The purpose is to meet Mr. John B. Askew, Regional Administrator for EPA Region 7.

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, January 29, 2008, 9:00 a.m. Hearing Room 4.

Executive session.

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 4.

Committee will meet at 12:00 p.m. or upon morning adjournment.

Public hearings to be held on: HB 1326, HB 1485, HB 1499

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Monday, January 28, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. CANCELLED

Public hearing to be held on: HB 1386

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

Public hearing to be held on: HB 1386

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 2.

Executive session may follow.

The committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1371

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, January 29, 2008, 12:30 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 1340

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 1779

Executive session will be held on: HB 1426

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1313, HB 1518, HB 1562, HCR 5

**HOUSE CALENDAR**

TENTH DAY, MONDAY, JANUARY 28, 2008

**HOUSE BILLS FOR SECOND READING**

HB 1805 through HB 1868



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TENTH DAY, MONDAY, JANUARY 28, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, Your steadfast love never ceases; Your mercies never come to an end; they are new every morning; great is Your faithfulness.

It is impossible to measure Your greatness and the magnitude of Your mercy. Though our plans on this earth are frail and sometimes fall short of its intended purpose, Your plans and purposes never fail. So we, with Your guidance, seek to establish a distinctive quality of life for all our constituents; one with long term positive effects.

As we have received instructions from You and seek to implement them, may Your blessings be upon our efforts throughout this week.

Blessed are You, LORD, who has given us rest according to all that You promised. Thank You for Your abiding presence.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Chris Hillen, Gabriella Martinez, Stacy Buenemann and James Myles.

The Journal of the ninth day was approved as printed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance

Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 015

Bland	Bowman	Cooper 120	Cooper 155	Corcoran
Donnelly	El-Amin	Funderburk	Harris 23	Hubbard
Hunter	Meadows	Page	Roorda	Threlkeld

VACANCIES: 004

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 258 through House Resolution No. 264

## SECOND READING OF HOUSE BILLS

**HB 1805** through **HB 1868** were read the second time.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 60**, introduced by Representative Cunningham (86), relating to the commissioner of education.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1869**, introduced by Representatives Wilson (130), Ruestman, Faith, Grill, Sater, Bivins, Dougherty, Sander, Darrough and Grisamore, relating to junior colleges.

**HB 1870**, introduced by Representatives Deeken, Johnson, Roorda, Talboy, Chappelle-Nadal, Daus, Bruns, Harris (110), Meadows, Dougherty, Lowe (44), Quinn (7), Sander, Tilley, Schneider, Avery, Bowman, McGhee, Schaaf, Schieffer, Nasheed, Hoskins, Low (39), Oxford, Stream, Faith, Nance, Schlottach, Brown (50), Hodges, Haywood, El-Amin, Hubbard, Villa, Norr, McClanahan, Wright-Jones, Storch, Quinn (9), Yaeger, Scavuzzo, Burnett, Hughes, Spreng, Vogt, Rucker, Walsh, Darrough, Bland, George, Walton, Skaggs, Curls, Holsman, Grisamore, Lampe, Meiners and Schoemehl, relating to the creation of a death penalty commission.

**HB 1871**, introduced by Representative Deeken, relating to the final disposition of dead bodies.

**HB 1872**, introduced by Representatives Hunter, Fisher, Bivins, Munzlinger, Robb, Moore, Sater, Sander and Emery, relating to deductions from employee paychecks.

**HB 1873**, introduced by Representative Yates, relating to real estate transactions.

**HB 1874**, introduced by Representative Cunningham (86), relating to teacher certification.

**HB 1875**, introduced by Representative Cunningham (86), relating to unaccredited school districts.

**HB 1876**, introduced by Representative Cunningham (86), relating to special education due process hearings.

**HB 1877**, introduced by Representative Cunningham (86), relating to special education resolution sessions.

**HB 1878**, introduced by Representatives Cunningham (86), George, Nieves, Portwood, Ruestman, Dougherty and Meiners, relating to real property assessment appeals.

**HB 1879**, introduced by Representative Sutherland, relating to prohibiting the interchange of antiepileptic drugs.

**HB 1880**, introduced by Representative Schaaf, relating to health insurance contracts.

**HB 1881**, introduced by Representative Schlottach, relating to county water supply districts.

**HB 1882**, introduced by Representatives Kraus, Nance, Grisamore, Deeken, Smith (14), Dougherty, Grill, Norr, Schieffer, Moore, Ruestman, Avery, McGhee, Hughes, Weter, Dusenberg, Page, Silvey, Wasson, Scharnhorst and Pearce, relating to a tax credit for military retirement benefits.

**HB 1883**, introduced by Representatives Nance and Nolte, relating to employee job protection.

**HB 1884**, introduced by Representatives Dethrow, Schlottach, Guest, Wilson (119) and Kelly, relating to the national animal identification system.

**HB 1885**, introduced by Representative Yates, relating to the deceptive use of a financial institution's name.

**HB 1886**, introduced by Representatives Scharnhorst, Self, Flook, Marsh, Lembke, Walton, Yaeger, Nasheed, Brown (50), Dixon, Jetton, Tilley, Cunningham (145), Schoeller, Fisher, Faith, Roorda, Nolte, Stream, May, Cox, Robb, Davis, Muschany, Emery, Hunter, Schaaf, Ervin, Franz, Onder, Pollock, Wilson (119), Smith (14), Bivins, Schlottach, Guest, Cooper (120), Cunningham (86), Lipke, Nieves, Casey, Meiners, Daus, Villa, Dougherty, Moore, Ruestman, Weter, McGhee, Hoskins, Sutherland, Richard, Schad, Jones (117), Parson, Day, Nance, Icet, Kelly, Jones (89), Hughes, Silvey, Hobbs and Bruns, relating to the Missouri special needs scholarship tax credit program.

## COMMITTEE REPORTS

**Special Committee on Urban Education Reform**, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 1310**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 1320**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

## WITHDRAWAL OF HOUSE BILL

January 24, 2008

Adam Crumbliss, Chief Clerk  
Missouri State Capitol - Room 306C  
201 West Capitol Avenue  
Jefferson City, MO 65101

Dear Mr. Crumbliss,

I respectfully request withdrawal of **House Bill No. 1392** due to a technical error. Your assistance is appreciated.

Sincerely,

/s/ Tom Loehner

The following members' presence was noted: Cooper (120), Cooper (155), El-Amin, Funderburk, Hubbard, Hunter, Meadows and Roorda.

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, January 29, 2008.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 4.  
Public testimony Department of Natural Resources and begin  
Department of Natural Resources presentation of the FY09 budget.

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 3.  
Continuation of Department of Natural Resources FY09 budget presentation and  
begin the FY09 budget presentation from the Department of Agriculture.

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 3.  
Budget presentation from the Department of Elementary and  
Secondary Education continued. CANCELLED

### **APPROPRIATIONS - EDUCATION**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 1.  
Overview and budget presentation from the Department of Higher Education.

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 6.  
Budget presentation from the Department of Elementary and Secondary Education continued.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 3.  
Office of Administration statewide real estate.  
Office of Administration budget requests including public debt.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 3.  
Office of Administration budget requests including public debt.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 7.  
Statewide elected officials: Governor, Lt. Governor, Secretary of State,  
State Auditor, State Treasurer, Attorney General.  
Department of Revenue if time permits.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 5.  
Budget overview for the Department of Social Services.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 5.  
Budget overview for the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 5.

Budget overview for the Department of Social Services.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, January 29, 2008, 2:00 p.m. Hearing Room 6.

Presentation of Governor's budget recommendations for Public Safety and Corrections.

Executive session may follow.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 30, 2008, 8:00 a.m. Hearing Room 3.

Presentation of Governor's budget recommendations for Public Safety and Corrections.

Executive session may follow.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, January 29, 2008, 5:00 p.m. Hearing Room 3.

Testimony by Innovation Centers.

Decision items presentation by the Department of Economic Development.

Executive session may follow.

**BUDGET**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2019, HB 2020

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1352, HB 1404, HB 1405, HB 1468, HB 1619

**ELECTIONS**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 5.

Public hearings to be held on: HB 1407, HJR 39, HJR 40

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, January 30, 2008, Hearing Room 6 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 1314

**HEALTH CARE POLICY**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1504, HB 1625, HB 1398

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, January 29, 2008, 9:00 a.m. Hearing Room 4.  
Executive session.

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 4.  
Committee will meet at 12:00 p.m. or upon morning adjournment. AMENDED  
Public hearings to be held on: HB 1326, HB 1485

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, January 30, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearing to be held on: HB 1524

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1668, HJR 41

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, January 29, 2008, 5:00 p.m. Hearing Room 5.  
Executive session may follow.  
Public hearings to be held on: HB 1331, HB 1689, HB 1690

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 1.  
Executive session may follow.  
Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. CANCELLED  
Public hearing to be held on: HB 1386

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 1.  
Executive session may follow.  
Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED  
Public hearing to be held on: HB 1386

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 2.  
Executive session may follow.  
Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 2.

Update from Mark James, Director MO Dept. of Public Safety and

Paul Fennwald, MO Homeland Security Coordinator.

Executive session may follow.

Public hearing to be held on: HB 1450

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1419, HB 1616, HB 1576

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1371

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, January 30, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1305, HB 1480

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1661, HB 1340, HB 1551

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 1779

Executive session will be held on: HB 1426

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, January 29, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1313, HB 1518, HB 1562, HCR 5

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, January 29, 2008, 5:00 p.m. Senate Lounge.

Joint meeting of the House Special Committee on Veterans and the Senate Pensions, Veterans' Affairs and General Laws Committee.

For informational purposes only.

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. CORRECTED NOTICE.

Public hearings to be held on: HB 1424, HB 1650, HB 1318



TRANSPORTATION

Tuesday, January 29, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1575, HB 1519, HB 1482, HB 1406

**HOUSE CALENDAR**

ELEVENTH DAY, TUESDAY, JANUARY 29, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 60

**HOUSE BILLS FOR SECOND READING**

HB 1869 through HB 1886

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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ELEVENTH DAY, TUESDAY, JANUARY 29, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

*(On the morning after President Bush's State of the Union Address, this word from the Christian scriptures is timely).*

The apostle Paul is inspired to write: "I urge that supplications, prayers, intercessions and thanksgivings be offered for all men, for kings and all in high places, that we may lead a quiet and peaceable life, godly and respectful in every way". *(1 Timothy 2:1-2)*

Almighty God, we pray for our President and all our national leaders in high places. We pray that they receive, and rely on, Your gift of right judgment and wisdom, in making the decisions that are developing for the sake of our nation and all its people. And may harmony and justice be advanced between our nation and all other nations, especially those with whom we are involved in warfare or dangerous tension.

Lord God, may the same gifts of right judgment and wisdom be granted to us for the sake of the people we serve in the State of Missouri.

We pray to You, our God forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lily Burns, Delun Shi, Kia Kemp, Lizzy Lannin, Rafael Leija-Elias, Abby Fulcher, Tricia Hill, Caitlin Price, Kia Woods, Janice Sutton, Brandon Parker, Dustin Hayes, Ebony Jones, Alphonso Carillo, Samantha Tran, Irving Gonzales, Tony Ngyuen, Kahalil Harbia, Mariah Smith, Leon Gray, Andre Rush, Breanne Echols, Aaron Collins and JoAnna Hernandez.

The Journal of the tenth day was approved as printed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore

Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Daus	Donnelly	Lowe 44	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 008

Bland	Bowman	Cooper 155	Harris 23	Jones 117
Low 39	Oxford	Stevenson		

VACANCIES: 004

Speaker Jetton assumed the Chair.

### **SPECIAL RECOGNITION**

Judy Buck was introduced by Representative Brandom and recognized as an Outstanding Missourian.

### **HOUSE RESOLUTION**

Representatives Bringer and Pratt offered House Resolution No. 297.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 265 through House Resolution No. 296  
House Resolution No. 298 through House Resolution No. 304

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 60** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 1869** through **HB 1886** were read the second time.

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following committee to act with a like committee from the House pursuant to **HCR 2**: Senators Gibbons, Coleman, Bartle, Goodman, Mayer, Scott, Justus, Callahan, McKenna and Smith.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2015**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2021**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2022**.

## **SIGNING OF HOUSE BILLS**

All other business of the House was suspended while **HB 2015**, **HB 2021** and **HB 2022** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 2015**, **HB 2021** and **HB 2022** were delivered to the Governor by the Chief Clerk of the House.

## **COMMITTEE REPORTS**

**Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2019**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2020**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1887**, introduced by Representative Parson, relating to the designation of a memorial highway.

**HB 1888**, introduced by Representatives Schoeller, Lampe, Norr, Marsh, Tilley, Schneider, Denison, Dixon, Viebrock and Cunningham (145), relating to airport zoning.

**HB 1889**, introduced by Representatives Meadows, Harris (110), Darrough, Schieffer, Roorda, Wildberger, Baker (25), Walsh and Meiners, relating to a real-time electronic log book for certain controlled substances transactions.

**HB 1890**, introduced by Representatives Moore, Tilley, Fisher, Grisamore, Wildberger, Nance, Bivins, Schaaf and Meiners, relating to comprehensive psychiatric services.

**HB 1891**, introduced by Representatives Stream, Yates, Scharnhorst, Grill, Schlottach, Funderburk, Hunter, Cooper (155), Franz, Kraus, Deeken, Jones (89), Smith (150), Hodges, Sutherland, Bivins and Fisher, relating to physical education.

**HB 1892**, introduced by Representatives Holsman, Zimmerman, Chappelle-Nadal, Lowe (44), Norr, Frame, Meiners, Grill, Villa, Corcoran, Talboy, McClanahan, Page, Wildberger, Hodges, Robinson, Hubbard, Schoemehl, Scavuzzo, Yaeger, Harris (110), Lampe, Roorda, Skaggs, Meadows, George, Schieffer, Brown (50), Darrough, Swinger, Spreng, Burnett, Vogt, Baker (25), Komo, Wright-Jones, Rucker, Kuessner, Liese, Whorton, Haywood, Fallert, Aull, Hughes, Low (39), Curls, Quinn (9), Todd and Storch, relating to an income tax deduction for alternative energy sources.

**HB 1893**, introduced by Representative Scharnhorst, relating to premium refund calculations for credit insurance.

**HB 1894**, introduced by Representatives Jones (89), Zimmerman, McGhee, Nieves, Munzlinger, Ruzicka, Jones (117), Bruns, Funderburk, Onder, Parson, Smith (150), Schoeller, Day, Stream, Scharnhorst and Moore, relating to detainees.

**HB 1895**, introduced by Representatives Munzlinger, Onder, Whorton, Ruestman, McGhee and Sander, relating to animal-drawn vehicles.

**HB 1896**, introduced by Representatives Munzlinger, Onder, Ruestman, McGhee, Nieves and Sander, relating to silent reflection in public school classrooms.

**HB 1897**, introduced by Representative Bowman, relating to the Martin Luther King, Jr., National Memorial Project.

**HB 1898**, introduced by Representatives Robb, Nance, Flook, Corcoran and Hughes, relating to identifying information in certain court records.

**HB 1899**, introduced by Representative Harris (110), relating to orders of protection.

**HB 1900**, introduced by Representative Harris (110), relating to relocation of a child by a parent.

**HB 1901**, introduced by Representatives Harris (110), McGhee, Low (39), Hughes, Quinn (9), Rucker, Darrough, Pearce, Guest, Kelly, Sander, Wells, Weter, Hodges, Dethrow, Oxford, Sutherland, Schaaf, Robinson, Schieffer, Wildberger, Todd, Davis, Fallert, Lampe, Fisher, Ervin, Cunningham (145) and Nasheed, relating to the sale and delivery of raw milk.

**HB 1902**, introduced by Representatives Moore, Walton, Pearce, Nolte, Stevenson, Denison, Hobbs, Deeken, Weter, Sander, Aull, McGhee, Ruzicka, Munzlinger, Ruestman, Self, Schoeller, Robb, Bruns, Bivins and Lampe, relating to teacher retirement.

**HB 1903**, introduced by Representative Cox, relating to public drinking water.

**HB 1904**, introduced by Representative Cox, relating to the state housing development commission.

**HB 1905**, introduced by Representative Schlottach, relating to tourist attraction signs.

**HB 1906**, introduced by Representative Loehner, relating to the transition period for statewide elected officials.

**HB 1907**, introduced by Representatives Fallert, Harris (110), Kuessner and Robinson, relating to prohibiting registered sexual offenders from being within one thousand yards of any state park.

**HB 1908**, introduced by Representatives St. Onge, Onder, Faith, Threlkeld, Funderburk, Denison, Kuessner, Meadows, Fallert, Wildberger, Robinson, Silvey and Corcoran, relating to automated speed enforcement in work zones.

**HB 1909**, introduced by Representatives Day, Casey, Wright, Meadows, Stream, Dougherty, Denison, Roorda, Nieves, Ruestman, Darrough, Bivins, Hughes, Grisamore, Rucker, Fisher, Flook, Avery, Pollock, Funderburk, Kelly, Norr, Wilson (130), Sander, Schieffer, Moore, Salva and Dusenberg, relating to the disposal of unclaimed veteran's remains.

## WITHDRAWAL OF HOUSE BILLS

January 24, 2008

Adam Crumbliss, Chief Clerk  
Missouri State Capitol - Room 306C  
201 W. Capitol Avenue  
Jefferson City, MO 65101

Dear Mr. Crumbliss,

I respectfully request withdrawal of **House Bill No. 1391** due to a technical error. Your assistance is appreciated.

Sincerely,

/s/ Tom Loehner

---

January 29, 2008

Adam Crumbliss, Chief Clerk  
Missouri State Capitol-Room 306C  
201 W. Capitol Avenue  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request to have **House Bill No. 1767** withdrawn.

Your assistance is much appreciated.

Sincerely,

/s/ Ed Wildberger  
Minority Caucus Chair  
District 27

The following members' presence was noted: Cooper (155), Harris (23) and Low (39).

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, January 30, 2008.

## **COMMITTEE MEETINGS**

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 4.

Continuation of Department of Natural Resources FY09 budget presentation and begin the FY09 budget presentation from the Department of Agriculture. AMENDED

### **APPROPRIATIONS - EDUCATION**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 6.

Budget presentation from the Department of Elementary and Secondary Education continued.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 3.

Office of Administration budget requests including public debt.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 7.

Statewide elected officials: Governor, Lt. Governor, Secretary of State, State Auditor, State Treasurer, Attorney General.

Department of Revenue if time permits.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, January 30, 2008, 2:00 p.m. Hearing Room 5.

Budget overview for the Department of Social Services.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 5.

Budget overview for the Department of Social Services.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Monday, February 4, 2008, 10:00 a.m. Hearing Room 6.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.



**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, January 30, 2008, 8:00 a.m. Hearing Room 3.

Presentation of Governor's budget recommendations for Public Safety and Corrections.  
Executive session may follow.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, January 30, 2008, Hearing Room 6 upon morning adjournment.

Executive session may follow.

Public hearing to be held on: HB 1314

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Wednesday, January 30, 2008, 3:00 p.m. Hearing Room 1.

First quarter meeting.

**LOCAL GOVERNMENT**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1304, HB 1355, HB 1415, HB 1470, HB 1711

**RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, January 30, 2008, 9:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1310, HB 1311, HB 1320

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, January 30, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1524

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

Public hearing to be held on: HB 1386

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Committee will reconvene if needed upon adjournment. AMENDED

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 2.  
Update from Mark James, Director MO Dept. of Public Safety and  
Paul Fennwald, MO Homeland Security Coordinator.  
Executive session may follow.  
Public hearing to be held on: HB 1450

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, January 30, 2008, 5:00 p.m. Hearing Room 7.  
Executive session may follow. AMENDED  
Public hearings to be held on: HB 1757, HB 1654

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 1419, HB 1616, HB 1576

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearings to be held on: HB 1490, HB 1545, HB 1574, HB 1774

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, January 30, 2008, 5:00 p.m. Hearing Room 1.  
Executive session may follow.  
Public hearing to be held on: HB 1656

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, January 30, 2008, 9:00 a.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1305, HB 1480

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 5.  
Public hearing to be held on: HB 1779  
Executive session will be held on: HB 1426

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, January 30, 2008, 12:00 p.m. Hearing Room 7.  
Executive session may follow. CORRECTED NOTICE. CANCELLED  
Public hearings to be held on: HB 1424, HB 1650, HB 1318

**WAYS AND MEANS**

Thursday, January 31, 2008, 8:30 a.m. Hearing Room 3.  
Possible Executive session.  
Public hearings to be held on: HB 1628, HB 1670, HB 1437, HJR 59

**HOUSE CALENDAR**

TWELFTH DAY, WEDNESDAY, JANUARY 30, 2008

**HOUSE BILLS FOR SECOND READING**

HB 1887 through HB 1909

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWELFTH DAY, WEDNESDAY, JANUARY 30, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Ed Emery.

Fill us, O Lord and Father of us all, we beseech Thee, with Thy gentle Spirit, and dispel all the clouds of misunderstanding and passion. Make an end to the strife of blind fury. Arise, O Christ, Thou Sun of Righteousness, and shine upon us. Alas! While we contend, we only too often forget to strive after holiness which Thou requirest from us all. Guard us against abusing our powers and enable us to employ them with all earnestness for the promotion of holiness.

Make us to leave all past errors to the judgment of the Saviour; and to give a charitable hearing to every man's opinions, thoughts and ideas; with the desire that all might live under the one Christ, in one Commonwealth, one Church, and one Unity.

*In part attributed to Zwingli, Swiss theologian, leader of the Reformation in Switzerland and in part to Charles V, Roman Emperor (circa 1530).*

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Micah Rucker and Caleb Foster.

The Journal of the eleventh day was approved as printed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Hoskins
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	Meadows
Meiners	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood

Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 013

Baker 123	Bland	Bowman	Cooper 120	El-Amin
Harris 23	Holsman	Hubbard	Johnson	Kuessner
LeVota	McGhee	Muschany		

VACANCIES: 004

## SPECIAL RECOGNITION

The West Plains High School Zizzers Girls Cross Country Team was introduced by Representative Franz and recognized for attaining the 2007 Class 3 State Championship.

Speaker Pro Tem Pratt assumed the Chair.

## HOUSE RESOLUTIONS

Representative Icet offered House Resolution No. 327.

Representative Bivins offered House Resolution No. 340.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 305 through House Resolution No. 326

House Resolution No. 328 through House Resolution No. 339

House Resolution No. 341 through House Resolution No. 347

## HOUSE CONCURRENT RESOLUTIONS

Representative Guest, et al., offered House Concurrent Resolution No. 17.  
Representative Fisher, et al., offered House Concurrent Resolution No. 18.  
Representative Sander, et al., offered House Concurrent Resolution No. 19.

## SECOND READING OF HOUSE BILLS

**HB 1887** through **HB 1909** were read the second time.

## RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

**HB 1346** - Special Committee on Immigration

## COMMITTEE REPORTS

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1310**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1311**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1320**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## INTRODUCTION OF HOUSE JOINT RESOLUTIONS

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 61**, introduced by Representatives Harris (110), Meadows, Oxford, Casey, Schieffer, Chappelle-Nadal, Schoeller, Wildberger, Lampe, Lembke, McGhee and Emery, relating to protection from public nuisances.

**HJR 62**, introduced by Representatives Harris (110), Meadows, Oxford, Casey, Schieffer, Dougherty, Chappelle-Nadal, Wildberger, Frame, Schoeller, Lampe, Lembke, McGhee and Emery, relating to eminent domain.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1910**, introduced by Representatives Ervin, Skaggs, Flook, Nolte, Nance and Silvey, relating to regulation of vehicular traffic.

**HB 1911**, introduced by Representatives Muschany, Wallace, Emery, Baker (123) and Jones (89), relating solely to teacher certification.

**HB 1912**, introduced by Representatives Pratt, Schlottach, Faith, Sutherland, Harris (23), Skaggs and Baker (25), relating to student curators.

**HB 1913**, introduced by Representatives Cunningham (86), George, Ruestman and Sander, relating to drug testing for high school students participating in athletics.

**HB 1914**, introduced by Representatives Sater, Walsh, McGhee, Sander and Grisamore, relating to mental health services.

**HB 1915**, introduced by Representatives Cox and Onder, relating to sexual misconduct involving a child.

**HB 1916**, introduced by Representatives Lampe, Frame, Roorda, Meadows, Casey, Harris (110), Nasheed, Fallert, Salva, George, Liese, Norr, Darrough, Walsh, Scavuzzo, Schieffer, Talboy, Johnson, Haywood, Brown (50), Witte, Swinger, Curls, Burnett, Storch, Donnelly, Skaggs, Quinn (9), Wright-Jones, Rucker, Oxford, Schoemehl, McClanahan, Hodges, Aull, Robinson, Villa and Wildberger, relating to state officials and employees compensation.

**HB 1917**, introduced by Representatives Sander, Grisamore, Fisher and Page, relating to real-time captioning for television programming.

**HB 1918**, introduced by Representatives Brandom, Swinger, Hodges, Wright, Todd, Kingery, Tilley, Muschany, Villa, Daus and Schaaf, relating to the establishment of the Missouri catastrophe fund.

**HB 1919**, introduced by Representatives Curls, Hubbard, Talboy, Nasheed, Hughes, Lowe (44), El-Amin, Hoskins, Walton and Bland, relating to residential construction disclosure forms.

**HB 1920**, introduced by Representatives Harris (110), Daus, Yaeger and Casey, relating to insurance companies owning or contracting with motor vehicle body repair shops.

**HB 1921**, introduced by Representative Harris (110), relating to dissolution of marriage.

**HB 1922**, introduced by Representatives Harris (110), Walsh, Villa, Liese, Meiners, Yaeger, Casey, Schieffer, George, Fallert, Meadows, Bringer, Robinson, Hodges, Rucker, Dougherty and Sander, relating to abortion.

**HB 1923**, introduced by Representatives Jones (117) and Pratt, relating to corporate filings with the secretary of state.

**HB 1924**, introduced by Representatives Frame, Roorda, Meadows, Schieffer, George, Darrough, Meiners, Nasheed, Bland and Casey, relating to the posting of gasoline prices.

**HB 1925**, introduced by Representatives Frame, Meadows, McGhee, Schieffer, George, Holsman, Darrough, Meiners, Nasheed, Bland, Fallert, Casey, Harris (110) and Dougherty, relating to property taxation.

**HB 1926**, introduced by Representatives Frame, Roorda, Meadows, LeVota, Schieffer, George, Holsman, Darrough, Nasheed, Bland, Meiners, Casey, Fallert and Wildberger, relating to sales and use tax exemptions.

**HB 1927**, introduced by Representatives Frame, Roorda, Meadows, Schieffer, George, Holsman, Darrough, Fallert, Bland, Meiners, Casey and Harris (110), relating to monitoring the sale of certain schedule V substances.

**HB 1928**, introduced by Representative Cooper (120), relating to coroners.

**HB 1929**, introduced by Representative Cooper (120), relating to excursion gambling boats.

**HB 1930**, introduced by Representatives Cooper (120), Pollock and Parson, relating to court costs.

**HB 1931**, introduced by Representatives Harris (23), Walsh, LeVota, Harris (110), Roorda, Page, Kuessner, Donnelly and Spreng, relating to concentrated animal feeding operations.

**HB 1932**, introduced by Representatives Harris (23), Walsh, LeVota, Harris (110), Roorda, Page, Kuessner, Donnelly and Spreng, relating to concentrated animal feeding operations.

**HB 1933**, introduced by Representatives Schaaf, Threlkeld and Onder, relating to MO HealthNet benefits.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Baker (123) has been appointed a member of the Special Committee on Student Achievement.

Representative Hunter is no longer a member of the Special Committee on Student Achievement.

Representative Self has been appointed a member of the Higher Education Committee.

Representative Talboy has been appointed a member of the Joint Committee on Administrative Rules.

Representative Vogt is no longer a member of the Joint Committee on Administrative Rules.

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January 29, 2008

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby appoint the following members to the Special Committee on Immigration:

Representative Kevin Wilson  
Representative Vickie Schneider  
Representative Mike McGhee  
Representative Mike Talboy  
Representative Jenee Lowe  
Representative Ed Wildberger  
Representative Bruce Darrough

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton

## MESSAGE FROM THE GOVERNOR

### EXECUTIVE OFFICE

January 30, 2008

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
94th GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 2021** entitled:

To appropriate money for supplemental purposes for the Department of Conservation, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements or acquisitions, from the funds designated for the fiscal period ending June 30, 2008.

On January 30, 2008 I approved said **House Bill No. 2021**.

Respectfully submitted,

/s/ Matt Blunt  
Governor

The following members' presence was noted: Baker (123), Bland, Cooper (120), El-Amin, Harris (23), Holsman, Hubbard, Johnson, McGhee and Muschany.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, January 31, 2008.

## **COMMITTEE MEETINGS**

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**  
Thursday, January 31, 2008, 8:00 a.m. Hearing Room 5.  
Budget overview for the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**  
Monday, February 4, 2008, 10:00 a.m. Hearing Room 6.  
Continuation of budget review for the Departments of Mental Health,  
Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**  
Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 5.  
Continuation of budget review for the Departments of Mental Health,  
Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**  
Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 5.  
Continuation of budget review for the Departments of Mental Health,  
Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**  
Thursday, February 7, 2008, 8:00 a.m. Hearing Room 5.  
Continuation of budget review for the Departments of Mental Health,  
Health and Senior Services, and the Department of Social Services.

**CRIME PREVENTION AND PUBLIC SAFETY**  
Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1382, HB 1481, HB 1594, HB 1619

**HIGHER EDUCATION**  
Tuesday, February 5, 2008, 5:00 p.m. Hearing Room 1. AMENDED  
Public hearings to be held on: HCR 7, HB 1315, HB 1368

**LOCAL GOVERNMENT**  
Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 4.  
Public hearings to be held on: HB 1304, HB 1355, HB 1415, HB 1470, HB 1711

**RULES**

Thursday, January 31, 2008, 9:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1661, HB 2019, HB 2020

**RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, January 31, 2008, 9:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1661, HB 2019, HB 2020

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, February 5, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1465, HB 1466, HB 1528, HB 1608

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 2.

Executive session may follow.

The committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Committee will reconvene if needed upon adjournment. AMENDED

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1419, HB 1616, HB 1576

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, January 31, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1490, HB 1545, HB 1574, HB 1774

**WAYS AND MEANS**

Thursday, January 31, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 1628, HB 1670, HB 1437, HJR 59

**HOUSE CALENDAR**

THIRTEENTH DAY, THURSDAY, JANUARY 31, 2008

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 61 and HJR 62

**HOUSE BILLS FOR SECOND READING**

HB 1910 through HB 1933

**HOUSE BILLS FOR PERFECTION - CONSENT**

(01/31/08)

- 1 HB 1310 - Hoskins
- 2 HB 1311 - Hoskins
- 3 HB 1320 - Brown (50)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTEENTH DAY, THURSDAY, JANUARY 31, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

With snow in the forecast, let us pray.

"Bless the Lord, frosts and snows, sing praise to him and highly exalt him forever." (*Daniel 3:50*).

Lord God, we thank You today for those who work on our highways in the cities and counties of our State. We thank You especially for those who are clearing snow from highways at this hour, making them safe for those who must travel. We easily see and value them as servants of the people.

O God, in the midst of these and all our worries, give us the peace to concentrate on the agenda of today's work. We are servants of You, our God. Keep us aware that we are servants, also, of those who have elected us to lead.

We praise and honor You, our God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Brackin Kuessner.

The Journal of the twelfth day was approved as printed by the following vote:

AYES: 139

Aull	Avery	Baker 123	Bivins	Bland
Bowman	Brandom	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page

Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 004

Daus	Donnelly	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 014

Baker 25	Bruns	Ervin	Harris 23	Haywood
Johnson	Marsh	Oxford	Roorda	Schneider
Storch	Whorton	Young	Zweifel	

VACANCIES: 004

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 348 through House Resolution No. 366

## SECOND READING OF HOUSE JOINT RESOLUTIONS

**HJR 61** and **HJR 62** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1910** through **HB 1933** were read the second time.

## COMMITTEE REPORTS

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1386**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Retirement**, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1774**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Senior Citizen Advocacy**, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 1380**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 1656**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1313**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1661**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2019**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2020**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 63**, introduced by Representatives Dethrow, Brown (30), Wilson (119), Sander, Munzlinger, Hobbs, Pratt, Ervin, Wallace, Hughes, Wells and Kuessner, relating to bird, fish, game, wildlife, or forestry resources.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1934**, introduced by Representatives May, Wallace, Deeken and Dougherty, relating to the executive director of the ethics commission.

**HB 1935**, introduced by Representatives May, Wildberger, Smith (150), McGhee, Portwood and Baker (25), relating to the practice of surgical technology.

**HB 1936**, introduced by Representative Smith (14), relating to recall of ambulance district board members.

**HB 1937**, introduced by Representatives Pearce, Fisher, Baker (123), Wilson (130), Cooper (120), Scavuzzo, Hunter, Emery, Richard, Brown (50), Stevenson, Meiners and Ruestman, relating to transportation development districts.

**HB 1938**, introduced by Representatives Baker (123), Scavuzzo, Meiners, Holsman, Ruzicka and Nasheed, relating to parent-teacher conferences.

**HB 1939**, introduced by Representatives Bowman, Darrough and Low (39), relating to living wages.

**HB 1940**, introduced by Representatives Page, Schaaf, Meadows, Frame, Komo, Talboy, McClanahan, Norr, Onder, Cooper (155), Threlkeld, Baker (25), Bland, Hughes, Skaggs and Holsman, relating to hospital patient safety.

**HB 1941**, introduced by Representatives Schad, Fisher, Wallace, Nance, Onder, Ruzicka, Wilson (119), Page, Schieffer, Schlottach, Weter, Sutherland, Viebrock, Loehner, Parson, Jones (117), Smith (150), Self, Pollock, Wasson, Kelly, Munzlinger, Schoeller, Sater, Jones (89), Hughes and Ruestman, relating to stealing livestock.

**HB 1942**, introduced by Representatives Schad, Wallace, Wells, Day, Bivins, Loehner, Munzlinger, Schieffer, Dougherty, Page, Ruzicka, Darrough and Rucker, relating to reliable electrical service by electric cooperatives.

**HB 1943**, introduced by Representatives Brown (50), Denison, Quinn (9), Scavuzzo, Darrough, Hoskins, Chappelle-Nadal, Nasheed, Casey, George, Todd, Bringer, Robinson, Nance, Walton, Onder, Nolte, Haywood, Lampe, Liese, Wright-Jones, Stream, Tilley, Munzlinger, Nieves, Portwood, Silvey, Talboy, Burnett, Dougherty, Hughes, Page, Storch, Johnson, Harris (110), Hodges, McGhee, Deeken, Hubbard, Wildberger, Salva, Baker (25), Schneider, Young, Oxford, Jones (117), Bland, Funderburk, El-Amin, Yaeger, Spreng, Cox, Grisamore and Wright, relating to recording fees.

**HB 1944**, introduced by Representatives Harris (110), Donnelly, LeVota, Curls, Lampe, Fallert, Bringer, Yaeger, Vogt, Witte, Grill, Talboy, Kuessner, Frame, Skaggs, Zimmerman, Casey, Norr, Brown (50), Scavuzzo, Robinson and McClanahan, relating to use and disclosure of Social Security numbers in certain documents.



**HB 1945**, introduced by Representative Franz, relating to the disbursement of child support.

**HB 1946**, introduced by Representative Franz, relating to adoption subsidies.

**HB 1947**, introduced by Representatives Holsman, Lowe (44), Talboy, Hughes, Low (39), Curls, Burnett, Brown (50), Bland, Meiners and Dougherty, relating to school class size.

**HB 1948**, introduced by Representatives Skaggs, LeVota and Dougherty, relating to Missouri blasting safety act.

**HB 1949**, introduced by Representatives Komo, Walsh, Darrough, Wildberger, Hughes, Schieffer and George, relating to disaster preparedness.

**HB 1950**, introduced by Representatives Komo, Walsh, Darrough, Hughes, Schieffer and George, relating to loan officers.

**HB 1951**, introduced by Representative Cooper (120), relating to corporate name revisions.

**HB 1952**, introduced by Representatives Loehner, Day and May, relating to the designation of a memorial bridge.

**HB 1953**, introduced by Representatives Lembke, Ruestman, Harris (110), Portwood, Sander, Nieves, Moore, Davis, Schieffer, Onder and Muschany, relating to prohibiting the creation of mixed human-animal individuals.

**HB 1954**, introduced by Representatives Dixon, Munzlinger, Marsh, Fisher, Hoskins, Bruns, Deeken, Meiners, Dougherty and Moore, relating to state officials and employees compensation.

**HB 1955**, introduced by Representatives Bivins, Davis, Fisher, Sander, Ruestman, Wallace, Sater, Dougherty and Meadows, relating to sales tax exemptions.

**HB 1956**, introduced by Representatives Bivins and Munzlinger, relating to pesticides.

**HB 1957**, introduced by Representatives Hughes, Curls, Hubbard, Bland, Talboy and Cooper (120), relating to duty free zones.

**HB 1958**, introduced by Representatives Silvey, Nolte, Flook, Nance, Ervin, Jones (117), Talboy, Portwood, Skaggs, Muschany, Brown (30), Scharnhorst, Pratt, Kelly, Lembke, Funderburk, Komo, Holsman, Hughes and Jones (89), relating to tax collection fees.

## WITHDRAWAL OF HOUSE BILLS

January 31, 2008

The Honorable Rod Jetton  
Speaker of the House  
State Capitol  
201 West Capitol Ave.  
Jefferson City, MO 65101

Dear Mr. Speaker:

I would like to withdraw **House Bill No. 1553**, relating to assistance program for the homeless. Thank you.

Sincerely,

/s/ Leonard (Jonas) Hughes  
Missouri State Representative  
District 42

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January 31, 2008

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Adam:

I respectfully request that **House Bill No. 1915** be withdrawn. Thank you.

Sincerely,

/s/ Stanley Cox

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, February 4, 2008.

## COMMITTEE MEETINGS

### APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 4.

Continuation of Department of Natural Resources FY09 budget presentation.

### APPROPRIATIONS - EDUCATION

Monday, February 4, 2008, 11:00 a.m. Hearing Room 1.

Committee members will discuss their priorities including deductions and additions to budget recommendations.

**APPROPRIATIONS - EDUCATION**

Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 3.

Further committee discussions and presentations to include Workforce 2025.

**APPROPRIATIONS - EDUCATION**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 1.

Formulate committee recommendations.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 3.

Department of Revenue budget.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 3.

Department of Revenue budget (if needed).

Office of Public Defender and Judiciary.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Monday, February 4, 2008, 10:00 a.m. Hearing Room 6.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 6.

Presentation of Governor's recommendations for Public Safety and Corrections.  
Executive session may follow.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 3.

Presentation of Governor's recommendations for Public Safety and Corrections.  
Executive session may follow.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 3.

Testimony from community colleges.

Review Department of Transportation and Department of Economic Development Governor recommended decision items.

Executive session may follow.

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1382, HB 1481, HB 1594, HB 1619

**ELECTIONS**

Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1517, HB 1522, HB 1317

**HIGHER EDUCATION**

Tuesday, February 5, 2008, 5:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HCR 7, HB 1315, HB 1368

**JUDICIARY**

Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1308, HB 1339, HB 1358, HB 1359, HB 1360, HB 1387, HB 1417, HB 1460, HB 1498, HB 1540, HB 1541, HB 1587, HB 1623, HB 1657

**LOCAL GOVERNMENT**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1304, HB 1355, HB 1415, HB 1470, HB 1711

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1763, HJR 49, HJR 52

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, February 5, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1465, HB 1466, HB 1528, HB 1608

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, February 4, 2008, 12:00 p.m. Hearing Room 7.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Committee may reconvene upon adjournment.

Executive session may follow.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 5.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 2.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

Committee may reconvene upon adjournment.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 7.

Committee will hear a presentation by Mr. Chris Chung of the Missouri Partnership.

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1511, HB 1512, HB 1636

**TRANSPORTATION**

Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1543, HB 1532, HB 1631, HB 1696

**HOUSE CALENDAR**

FOURTEENTH DAY, MONDAY, FEBRUARY 4, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 63

**HOUSE BILLS FOR SECOND READING**

HB 1934 through HB 1958

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1        HB 2019 - Icet
- 2        HB 2020 - Icet

**HOUSE BILL FOR PERFECTION**

HB 1661 - LeVota

**HOUSE BILLS FOR PERFECTION - CONSENT**

(1/31/08)

- 1        HB 1310 - Hoskins
- 2        HB 1311 - Hoskins
- 3        HB 1320 - Brown (50)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FOURTEENTH DAY, MONDAY, FEBRUARY 4, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

You are God, gracious and merciful, slow to anger and abundant in kindness. We are grateful for Your abiding presence.

Lord, we have, on many occasions, wrestled with our thoughts, our decisions, our actions, seeking always to do what is right in Your sight and in the sight of our constituents.

So we seek wise counsel, understanding that without consultation, plans are frustrated, but with many counselors they succeed; And there is none wiser than You.

May this week be a time of great introspection and projection with the ultimate goal of a more vigorous state.

Yours, O Lord, is the power and the glory, the victory and the majesty, forever.

And it's in the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirteenth day was approved as printed by the following vote:

AYES: 131

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hoskins	Hughes	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf

Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Mr Speaker				

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 022

Baker 123	Bland	Chappelle-Nadal	Cooper 120	Dixon
Donnelly	Dougherty	El-Amin	Flook	Funderburk
Harris 23	Haywood	Holsman	Hubbard	Johnson
McClanahan	Muschany	Stevenson	Storch	Threlkeld
Walton	Zweifel			

VACANCIES: 005

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 367 through House Resolution No. 372

### SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 63** was read the second time.

### SECOND READING OF HOUSE BILLS

**HB 1934** through **HB 1958** were read the second time.

### REFERRAL OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 4** - Agriculture Policy

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1351** - Local Government

**HB 1353** - Transportation



**HB 1363** - Special Committee on Agri-business  
**HB 1364** - Crime Prevention and Public Safety  
**HB 1375** - Special Committee on Healthcare Transformation  
**HB 1383** - Crime Prevention and Public Safety  
**HB 1384** - Crime Prevention and Public Safety  
**HB 1422** - Transportation  
**HB 1439** - Special Committee on Workforce Development and Workplace Safety  
**HB 1440** - Special Committee on Government Affairs  
**HB 1464** - Crime Prevention and Public Safety  
**HB 1472** - Special Committee on Family Services  
**HB 1476** - Special Committee on Urban Education Reform  
**HB 1488** - Crime Prevention and Public Safety  
**HB 1505** - Crime Prevention and Public Safety  
**HB 1514** - Crime Prevention and Public Safety  
**HB 1515** - Crime Prevention and Public Safety  
**HB 1521** - Judiciary  
**HB 1523** - Ways and Means  
**HB 1533** - Crime Prevention and Public Safety  
**HB 1537** - Crime Prevention and Public Safety  
**HB 1542** - Transportation  
**HB 1549** - Special Committee on Immigration  
**HB 1552** - Judiciary  
**HB 1567** - Crime Prevention and Public Safety  
**HB 1581** - Special Committee on Workforce Development and Workplace Safety  
**HB 1599** - Special Committee on General Laws  
**HB 1639** - Transportation  
**HB 1730** - Transportation  
**HB 1790** - Health Care Policy  
**HB 1806** - Special Committee on Healthcare Transformation  
**HB 1831** - Special Committee on Family Services  
**HB 1857** - Special Committee on Healthcare Transformation  
**HB 1934** - Elections

## **COMMITTEE REPORT**

**Special Committee on Homeland Security**, Chairman Dusenberg reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 1450**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

## **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 64**, introduced by Representative Chappelle-Nadal, relating to property tax exemption.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1959**, introduced by Representative Yates, relating to the transmission of insurance-related information in specific formats.

**HB 1960**, introduced by Representatives Kraus, Roorda and Spreng, relating to school cleaning supplies.

**HB 1961**, introduced by Representatives LeVota, Grill, Lampe, Scavuzzo, Roorda, Darrough, Schieffer, Talboy and Wildberger, relating to state employee salary increases.

**HB 1962**, introduced by Representatives LeVota, Grill, Lampe, Roorda, Darrough, Schieffer, Talboy and Wildberger, relating to Eric and Zayquon's law.

**HB 1963**, introduced by Representatives LeVota, Grill, Roorda, Darrough, Talboy and Wildberger, relating to caller identification spoofing.

**HB 1964**, introduced by Representatives LeVota, Page, Grill, Lampe, Scavuzzo, Roorda, Darrough, Schieffer, Baker (25), Harris (110), Talboy and Wildberger, relating to identity theft protection.

**HB 1965**, introduced by Representatives LeVota, Grill, Lampe, Scavuzzo, Oxford, Roorda, Darrough, Schieffer, Baker (25), Harris (110) and Talboy, relating to campaign contributions.

**HB 1966**, introduced by Representatives Ruestman, Bruns, Faith, Funderburk, Moore, Fisher, Darrough and Hughes, relating to gift certificates.

**HB 1967**, introduced by Representative Day, relating to transient guest taxes.

**HB 1968**, introduced by Representative Chappelle-Nadal, relating to general municipal elections days.

**HB 1969**, introduced by Representative Chappelle-Nadal, relating to nonpayment of rent cases.

**HB 1970**, introduced by Representative Wasson, relating to motor vehicle dealers.

**HB 1971**, introduced by Representative Portwood, relating to MO HealthNet benefits.

**HB 1972**, introduced by Representative Franz, relating to the public school and public education employee retirement systems.

**HB 1973**, introduced by Representative Franz, relating to the indemnification of the public school and public education employee retirement systems.

**HB 1974**, introduced by Representatives Schlottach, St. Onge and Loehner, relating to the Missouri public-private partnerships transportation act.

**HB 1975**, introduced by Representatives Scharnhorst, Cooper (120), Fisher, Wells, Richard, Self, Kelly, Hunter, Tilley, Pratt, McGhee, Wilson (119), Smith (14), Wilson (130), Nolte, Nance, Jones (117), Guest, May, Bivins, Ruzicka, Wasson, Weter, Stevenson, Emery, Schoeller, Denison, Avery, Threlkeld, Sutherland, Nieves and Frame, relating to concealed carry endorsements.

**HB 1976**, introduced by Representative Parson, relating to dental assistants.

**HB 1977**, introduced by Representatives Faith, Munzlinger, Richard and Wilson (130), relating to the vehicle protection product act.

**HB 1978**, introduced by Representatives Sutherland and Jones (89), relating to duties and liabilities of ski area operators and skiers.

**HB 1979**, introduced by Representatives Smith (14), Ruestman, Brown (30), Kraus, Meadows, Moore, McGhee and Schieffer, relating to the Missouri national guard family education grant.

**HB 1980**, introduced by Representatives Ruestman, McGhee, Fisher, Nolte, Kraus, Schad, Bruns, Dusenberg, Nance, Ruzicka, Cunningham (86), Bivins, Quinn (7), Harris (110), May, Weter, Sander, Davis and Schieffer, relating to the DNA profiling system.

**HB 1981**, introduced by Representatives Spreng, Pearce, Richard, Jetton, Darrough, Bringer, Meadows, Vogt, Frame, Lowe (44), Meiners, Page, Portwood, Wasson, Hubbard, Villa, Daus, Robinson, Fallert, Dougherty, Komo, Brown (50), Donnelly, Tilley, Bland, Smith (14), Liese, Yaeger, Corcoran, Schoemehl, Schneider, Nieves, Sater, Avery, McGhee and Brandom, relating to a tax credit for certain motor vehicle purchases.

**HB 1982**, introduced by Representatives Thomson, Munzlinger, Jones (117), Parson, Pearce, Emery, Ruzicka, Onder, Todd and Norr, relating to concealed carry endorsements.

## **MESSAGES FROM THE GOVERNOR**

### **EXECUTIVE OFFICE**

February 1, 2008

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
94th GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 2015** entitled:

To appropriate money for supplemental purposes for the Department of Social Services, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

On February 1, 2008 I approved said **House Bill No. 2015**.

Respectfully submitted,

/s/ Matt Blunt  
Governor

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February 1, 2008

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
94th GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 2022** entitled:

To appropriate money for supplemental purposes for the Department of Public Safety, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

On February 1, 2008 I approved said **House Bill No. 2022**.

Respectfully submitted,

/s/ Matt Blunt  
Governor

The following members' presence was noted: Dixon, El-Amin, Flook, Hubbard, McClanahan and Stevenson.

### **ADJOURNMENT**

On motion of Representative Tilly, the House adjourned until 10:00 a.m., Tuesday, February 5, 2008.

### **COMMITTEE MEETINGS**

APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES  
Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 4.  
Continuation of Department of Natural Resources FY09 budget presentation.

APPROPRIATIONS - EDUCATION  
Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 3.  
Further committee discussions and presentations to include Workforce 2025.

APPROPRIATIONS - EDUCATION  
Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 1.  
Formulate committee recommendations.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 7.

Department of Revenue budgets. AMENDED

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 3.

Department of Revenue budget (if needed).

Office of Public Defender and Judiciary.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 6.

Presentation of Governor's recommendations for Public Safety and Corrections. Executive session may follow.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 3.

Presentation of Governor's recommendations for Public Safety and Corrections. Executive session may follow.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 5, 2008, 2:00 p.m. Hearing Room 3.

Testimony from community colleges.

Review Department of Transportation and Department of Economic Development Governor recommended decision items.

Executive session may follow.

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1382, HB 1481, HB 1594, HB 1619

#### ELECTIONS

Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1517, HB 1522, HB 1317

#### HIGHER EDUCATION

Tuesday, February 5, 2008, 5:00 p.m. Hearing Room 1. AMENDED

Public hearings to be held on: HCR 7, HB 1315, HB 1368

#### JUDICIARY

Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1308, HB 1339, HB 1358, HB 1359, HB 1360, HB 1387, HB 1417, HB 1460, HB 1498, HB 1540, HB 1541, HB 1587, HB 1623, HB 1657

#### LOCAL GOVERNMENT

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1304, HB 1355, HB 1415, HB 1470, HB 1711

#### SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 2.

Executive session only.

#### SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1357, HB 1570, HB 1572, HB 1640

#### SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1763, HJR 49, HJR 52

#### SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, February 5, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1465, HB 1466, HB 1528, HB 1608

#### SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, February 5, 2008, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1341

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, February 5, 2008, 12:00 p.m. Hearing Room 5.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow. CANCELLED

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 1.

Public testimony on the uninsured and Insure Missouri will be taken as well as testimony from the Missouri Hospital Association. AMENDED

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 2.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

Committee may reconvene upon adjournment.

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 1393

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, February 6, 2008, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HJR 48, HB 1626, HB 1771

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 7.

Committee will hear a presentation by Mr. Chris Chung of the Missouri Partnership.

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 6, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1554

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1511, HB 1512, HB 1636

**TRANSPORTATION**

Tuesday, February 5, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1543, HB 1532, HB 1631, HB 1696

**HOUSE CALENDAR**

FIFTEENTH DAY, TUESDAY, FEBRUARY 5, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 64

**HOUSE BILLS FOR SECOND READING**

HB 1959 through HB 1982

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1        HB 2019 - Icet
- 2        HB 2020 - Icet

**HOUSE BILL FOR PERFECTION**

HB 1661 - LeVota

**HOUSE BILLS FOR PERFECTION - CONSENT**

(1/31/08)

- 1        HB 1310 - Hoskins
- 2        HB 1311 - Hoskins
- 3        HB 1320 - Brown (50)



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTEENTH DAY, TUESDAY, FEBRUARY 5, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

On this day of voting, called Super Tuesday, let us pray.

Almighty God, we praise You! We thank You for creating humankind in Your image and likeness, and for giving us the ability to "choose the good" (*Isaiah 7:15*), as one of the highest forms of acting in Your image and likeness.

We pray for the citizens of our state, and of all the Super Tuesday states. Inspire them to concentrate upon "choosing the good" as they vote. In this simple act, may they experience their personal dignity and even the fulfillment of their duty before You, their God.

When the voting is over, give us the humility and wisdom to discern the meaning of the results. In all our work in this House of Representatives, guide us carefully to "choose the good" and together to advance the common good. As we cast our votes on various issues, may we experience our own dignity of being created in Your image and likeness.

We pray to You, who is our God forever and ever. Amen!

The Pledge of Allegiance to the flag was recited.

The Journal of the fourteenth day was approved as printed.

## MOTION

Representative Tilley moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hughes	Icet	Jones 89	Jones 117	Kelly

Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Daus	George	Lowe 44	Skaggs	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Bland	Chappelle-Nadal	Cooper 120	El-Amin
Harris 23	Haywood	Hubbard	Hunter	Johnson
Loehner	McClanahan	Quinn 7	Storch	

VACANCIES: 005

Speaker Jetton assumed the Chair.

### ESCORT COMMITTEES

The Speaker appointed the following committee to escort Lieutenant Governor Peter Kinder and members of the Senate to the dais: Representatives Cunningham (86), Wright, Scharnhorst, Kelly, Dethrow, Yaeger, Bringer, Zweifel, Donnelly and Page.

The Speaker appointed the following committee to escort the Honorable Laura Denvir Stith, Chief Justice of the Supreme Court of Missouri to the dais: Representatives Jones (89), Lipke, Stevenson, Flook, Cox, Burnett, Witte, Zimmerman, Walton and Harris (23).

### JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 031

Barnitz	Bartle	Bray	Callahan	Clemens
Coleman	Crowell	Days	Engler	Gibbons
Goodman	Graham	Green	Griesheimer	Justus
Kennedy	Lager	Loudon	Mayer	McKenna
Nodler	Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer	Vogel
Wilson				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 003

Champion	Dempsey	Koster
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VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 132

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hughes	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nolte
Norr	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 003

Avery George Talboy

PRESENT: 002

Darrough Vogt

ABSENT WITH LEAVE: 021

Baker 25	Bland	Chappelle-Nadal	Cooper 120	El-Amin
Harris 23	Haywood	Holsman	Hoskins	Hubbard
Hunter	Johnson	McClanahan	Nieves	Onder
Roorda	Ruestman	Salva	Storch	Wasson
Wildberger				

VACANCIES: 005

The doorkeeper announced the approach of the Honorable Laura Denvir Stith, Chief Justice of the Supreme Court of Missouri. Chief Justice Stith was duly escorted to the House Chamber and to the Speaker's dais where she delivered the following message to the assembly in Joint Session.

## STATE OF THE JUDICIARY ADDRESS

By

**Chief Justice Laura Denvir Stith**

### Introduction

President Kinder, President Pro Tem Gibbons, Speaker Pro Tem Pratt, statewide elected officials, members of the General Assembly, members of the cabinet, my fellow Supreme Court judges, honored guests and fellow citizens:

Thank you for your warm welcome. I am truly honored to be here. When I began my legal career nearly 30 years ago as a Supreme Court law clerk, I had no idea that one day I would have the opportunity to come before this honored assembly, as the state's second female chief justice, to deliver Missouri's 35th State of the Judiciary address.

When I began my career, there were no female appellate or Supreme Court judges in Missouri and very few elsewhere. But now, for the first time in Missouri's history, we have three women on the Supreme Court. I thank Governor Matt Blunt for his appointment of Judge Patricia Breckenridge to the Court.

### Courts and judges make a positive impact on Missouri's communities

Like many of you, Judge Breckenridge is a true public servant. Over the past nine years, she has mentored five Kansas City children who, under her guidance, have become thriving teenagers looking forward to a promising future. Such efforts are the norm in the judiciary. Just a few weeks ago, for example, the judges and staff of the Western District appeals court finished a food drive that will feed nearly 400 needy families in the Kansas City area.

I tell you about these activities for two reasons. First, we are proud of the community involvement and personal contributions of our judges. Second, a review of these activities affirms that, just as you legislators are well-known for your civic participation at all levels, so too are the vast majority of our judges. They are in the same civic groups as you; they work to make a difference in their communities, like you; and, like you, judges and court staff make a positive impact on their communities through the performance of their official duties.

Just last month, for example, Jackson County received national honors for its family court probation and aftercare services. This program has reduced the recidivism rate drastically; now only 4 percent of its youth are referred back to the family court within six months.

Across the state, in the city of St. Louis, Judge Jimmie Edwards has reorganized the juvenile court so effectively that most felony offenses are processed within five weeks and misdemeanors within two weeks. This gets juvenile offenders off the streets, out of detention centers and into rehabilitative services sooner. It also has reduced the city's juvenile detention population by about a third, saving precious resources.

Judge Mary Sheffield and the 25th Circuit in south-central Missouri - along with Judge Rick Zerr and the 11th Circuit in St. Charles County - are piloting what we hope will become a statewide model for family courts. This enhanced "unified family court" system assigns a single judge to a particular family, which diminishes the likelihood of fragmented and inconsistent court results and reduces the time families have to spend in court. This new unified family court system will make a real difference in the lives of your constituents.

### **Drug courts are important for Missourians**

Programs like these demonstrate how hard-working court professionals can turn around young lives and keep families together. Drug courts, also, are helping urban and rural communities throughout the state reap similar benefits. Since they were established in Missouri 15 years ago through bipartisan efforts, our drug courts have graduated more than 6,200 individuals. An incredible 90 percent of these never return to our criminal justice system! I thank my colleague, Judge Ray Price, for his instrumental role in the development and oversight of these courts as chairman of Missouri's statewide drug court commission. In fact, the reason he is unable to be with us today is that he is in Washington, D.C., attending a board meeting of the National Association of Drug Court Professionals.

I encourage all of you to attend a local drug court graduation - it's an amazing experience. In Stone County, for example, one graduate went from having no place to live, no relationship with his two sons, no job and spending his time committing crimes and his money on drugs to having a solid marriage, running a masonry business and coaching his son's football team.

His story is echoed in the experiences of many of our drug court graduates. We have a number of recent graduates here today, along with some of our drug court staff and judges, and I invite them to stand and be recognized for their achievements.

These are the types of outcomes that timely and effective court intervention creates all across Missouri. Keeping offenders out of prison allows them to remain in the workforce and their families to stay intact. In fact, our juvenile courts have been able to place 120 children back in their natural homes after a parent graduated from drug court. The success of our drug courts even affects the next generation of Missourians, as more than 325 drug-free babies have been born to female drug court participants! And as I'm sure you are aware, protecting our unborn children from the ravages of drugs saves the state literally tens of thousands of dollars per child and gives every child a chance at a better life.

Alcohol abuse, like drug abuse, can ruin lives. Missouri has had the foresight to establish DWI courts as part of its drug court programs. The Greene County DWI court recently was one of only four such courts nationwide to be honored as a model court for its work in turning around repeat DWI offenders. Of its 143 graduates since 2003, only *four* have been convicted of subsequent DWIs.

As the Springfield News-Leader recently noted, expanded funding of the proven, cost-effective services offered by such courts will reduce the impact of substance abuse in Missouri. At any given time, our 108 drug courts are working with more than 3,200 offenders - that's approximately equal to the population of two state prisons Missouri has not had to build. This money-saving investment in our drug courts really is an investment in a positive future for Missourians. And all drug court funds go directly to treatment services for your constituents in your communities.

### **Courts have a positive impact on the state's economy**

These are only a few of the many positive effects of Missouri's courts. The next time you visit your local courthouse, I encourage you to meet the skilled court professionals working there. Nearly half of the judiciary's general revenue budget pays for these court clerks, court reporters, juvenile officers and other vital court staff. These *are* your constituents, and they *serve* your constituents every day.

Investing in these people makes fiscal sense, too, because Missouri's courts help buoy the state economy. At an annual cost of slightly more than \$164 million in general revenue, our courts last year produced a positive economic impact of more than twice that amount - approximately \$395 million in damages, offsets, fines, fees and costs. Much of that money went to local schools and county governments and other government funds. In other words, we courts do our share in contributing to the state's bottom line.

### **We are managing the courts' resources more efficiently**

Part of doing our share also means managing court resources as efficiently as possible. Before last year, the courts had only incomplete information to give in response to legislative inquiries whether additional judges were needed and, if so, where. To assist you better, we asked the nation's expert in judicial weighted workloads to study our trial courts. Its results show we need more judges. We are not asking you, however, to fund all the additional judges now - we know this is not the right time.

But the study shows where the need for additional judges is the most urgent, where justice for citizens may be delayed as a result of such shortages - including Greene, Jackson, St. Charles and St. Louis counties, among others. Armed with the facts and figures this study provides, you will be well-equipped to make informed decisions about where it is most critical to add judges throughout the state, as funds become available.

In the meantime, we are taking proactive steps, based on information in the study, to use our judicial resources more wisely. As one example, we are initiating improvements in our judge transfer program. Judges sometimes are transferred into another circuit to help cover for an illness or other temporary absence, but many other transfers help overburdened courts handle their dockets on a routine and continuing basis. For instance, in the 26th Circuit in the Lake of the Ozarks area, three judges suffered lengthy illnesses, and two of them eventually died, leaving that circuit shorthanded and unable to meet the needs of its growing population. To resolve this problem, we transferred in senior judges on a long-term basis, allowing civil trials to proceed and greatly expediting all cases.

Of course, the area soon may need another judge - Presiding Judge Greg Kays was one of two Missouri judges whom President George Bush recently nominated to become a federal district court judge. He is a fine judge and an outstanding individual. In fact, Judge Kays was honored by both the Highway Patrol and the Supreme Court for his selfless service in helping to save the life of his wilderness guide during a 2005 fishing expedition near the Arctic Circle. Judge Kays, will you please stand?

We hope the judicial weighted workload study will help us avoid future crises like the one in the 26th Circuit. Instead of the Chief Justice managing transfers, we are instituting a "judicial partnership program" pairing circuits that need extra judges with other circuits in the region whose judges have time to help. As this new program gets underway, we are focusing on the circuits with the most critical need first and will follow up with additional partnerships over the next year.

### **We must fix the criminal justice system**

But, as newspapers in Springfield and St. Louis noted last month, adding more judges will not end the problems we are seeing in our criminal justice system. Even if we had more judges, we still would need more public defenders and prosecutors because, not enough attorneys are available to try all the pending criminal cases, resulting in lengthy pretrial incarcerations. This is a critical problem in every jurisdiction in the state but most acutely so in our urban areas, where the criminal justice system is on the brink of a shutdown and basic constitutional rights are in jeopardy.

It benefits the public, the victims of crime, witnesses and the entire justice system if these cases are processed in a reasonable time; in fact, the constitution requires it. We are pleased to hear the state's budget analysts predict a surplus will be available this year to meet some of the state's most critical needs. Few could be more critical than in the criminal justice system, where we are on the verge of risking release of some prisoners for failure to give them a speedy trial because there simply is no public defender available to advocate on their behalf. I cannot emphasize enough the urgency of this crisis and ask you to give the utmost consideration to the public defender's budget request.

Missouri cannot afford to let this continue. We thank those of you who have been working on this problem and we urge you to intensify your efforts at solving this critical flaw, one that reaches even beyond the criminal justice

system. As shown by the 26th Circuit's experience, backlogs in criminal cases can translate into delays for our civil litigants as well. This has not gone unnoticed by our business community. Business leaders tell us that they have no desire to operate in a state unless it has a fair and impartial court system that moves cases efficiently. Businesses are in litigation every day, all over the country, and the prompt resolution of their cases helps our economy to remain strong and to move forward.

### **Improving court technology enhances public safety and public access**

Ensuring access to Missouri's courts extends beyond the courthouse walls, so we have strived to improve our online legal resources also. I am proud that the Supreme Court now offers streaming audio of its oral arguments so all members of the public can listen to them as they occur.

I also am pleased to announce that our electronic case management system will be complete statewide with the addition of Greene County this spring. Why does this matter? Well, by integrating technology into our court services, we are better able to meet your constituents' expectations about making all of government operate more efficiently. Because of its court technology, Missouri is the first state in the nation that allows the courts, the schools and state executive branch agencies that serve youth, to share juvenile case information through a secure, statewide system. And Missouri's court technology ensures that law enforcement agencies receive orders of protection within a few minutes of their entry and that the Highway Patrol more quickly can receive thousands of convictions and mental incapacity determinations.

We also are proud of our nationally recognized Case.net system, which lets you and your constituents access statewide adult case information around the clock through our Web site. Case.net is purely a Missouri product: It was designed by Missouri court technology staff, with input from courts and citizens throughout the state, and it is something of which we all should be proud.

The technology you have helped us build now positions us to take the next step for Missouri's citizens. With your support for our budget request to pilot electronic filing, we can begin providing Missourians electronic access to their court documents, increasing transparency of the courts for less money. E-filing also will be more efficient. It will enable litigants and lawyers to obtain court files and specific documents from their homes or offices any time of day. And it will enhance public safety by giving judges, court personnel and law enforcement officers round-the-clock access to case information. This will be an important step forward for everyone.

The advances we've made would not have been possible without your investments in court technology, because modern computer systems provide the foundation for information sharing and access. We thank you, and we ask for your continued support to enable Missouri's courts to provide the kind of service our citizens expect in the 21st century.

### **The nonpartisan plan for selecting judges on merit continues to work**

I'll spend the remainder of my comments addressing something many of you have asked me about - the nonpartisan court plan. In fact, your enhanced interest gave me the privilege of being the first chief justice in recent memory to be invited to speak with a legislative committee even before the State of the Judiciary. I was thankful for that opportunity.

As I noted then, I believe that in the nearly three-quarters of a century since its adoption, Missouri's nonpartisan merit-selection court plan has worked well in attracting high-quality judges in the least political way and in ultimately giving Missouri's voters - not lawyers, not the Governor, not the Legislature and not the Supreme Court - the final say. This renowned method of judicial selection - what some have called "Missouri's gift to the art of governance" - should be treasured.

Most Missourians agree. In a poll of 600 Missourians recently conducted by Public Opinion Strategies, the majority opposed replacing the plan, either with partisan judicial elections - in which judges raise literally millions, if not tens of millions, of dollars to keep their office - or with a federal-type system in which judges are hand-picked by the Governor and confirmed by the Senate.

The process the Appellate Judicial Commission followed in filling Judge Ronnie White's vacancy on the Supreme Court was the same process that the same seven commissioners followed to fill the five additional appellate vacancies this year. This process became part of Missouri's structure of government in 1940, when a group of mostly Republican legislators and civic leaders, including my colleague Steve Limbaugh's grandfather, "the original" Rush Limbaugh, successfully led a citizen initiative to end partisan control of the judiciary. The only significant change made since then came in 1978, when citizens - to minimize further the influence of partisan politics in our judicial system - eliminated the Governor's ability to force the nonpartisan commissions to nominate additional panels for the same vacancy.

In the end, the process has worked essentially the same way for all those years. It is a neutral, even-handed process that blends the best features of merit screening, executive branch appointment and voter participation in judicial selection while preserving the public's confidence in fair and impartial courts. And it is the process that led to the selection of fine jurists such as John Holstein, Ann Covington, Charles Blackmar, Andrew Jackson Higgins, Joseph Simeone, J.P. Morgan and my own mentors - Robert Seiler and Elwood Thomas - to name but a few.

### **We are further opening the nonpartisan selection process**

Pride in these and other fine judges appointed under the Missouri plan no doubt has played an important role in the rejection of prior attempts to dismantle the plan or allow it to become subject to expensive fundraising efforts, special interest influence or shifting political winds. As Missourians always have recognized, this is not a Democratic or Republican issue - it is a matter of good government.

But does that mean I think that we have implemented the plan perfectly? As I told the Senate Rules Committee last fall, actually, I don't - and those of us on the Supreme Court are working to improve its operation in two significant ways.

The first involves giving even more information to the media and the public. The nonpartisan plan process already makes *more* information public than what is shared in any other area of state government. Under the plan, the public learns who the three finalists are for positions on Missouri's nonpartisan courts so they can offer comment to the Governor. For most other appointed positions in government, including the directors of executive branch agencies and the legislative leadership, all the public learns is the name of the person finally selected.

That said, the Supreme Court has listened to the public and the media and plans to open up the process even more. Beginning later this month, the Court will require commissions to announce the time, date and location of their meetings and to provide demographic information about the applicant pool prior to those meetings. Once the three finalists are determined, the commissions will be required to make public the three nominees' applications - with private information redacted, of course.

### **We plan to enhance public involvement in the process of rating and retaining nonpartisan judges**

The second area designated for improvement is the retention election process. The Supreme Court is working to make sure that Missouri's citizens have more, and better, access to information about the performance of their judges when they exercise their right to have the final say on whether judges should remain in office.

In 2006, The Missouri Bar spent more than \$100,000 to conduct evaluations of nonpartisan judges and distribute the results to the public - by holding news conferences, distributing evaluations to the media, putting the results online, sending them to organizations such as the chambers of commerce - the Bar even made them available in libraries and supermarkets. We commend the Bar for its many efforts, but we can do even more for Missourians.

We want citizens to have ready information about the performance of their judges so they can make fully informed decisions when they exercise their right to vote. Ideally, Missouri would follow Arizona's lead and appropriate a million dollars each election cycle so the Secretary of State can print and mail to each voter in the state a pamphlet summarizing and evaluating the qualifications and performance of each judge up for retention.

But we are not standing still just because full funding for these efforts is not available. As a member of the National Conference of Chief Justices, I am helping to draft a resolution - which we will vote on this summer - to support



federal legislation allowing this type of voter guide to be distributed postage-free. If successful, this could reduce the cost of the pamphlets by up to one-third. I ask each of you to voice your support for this type of legislative proposal to your counterparts in Congress. Together, we can make a difference.

The Supreme Court also is requiring the creation of judicial performance committees to use objective standards to conduct in-depth evaluations of nonpartisan judges seeking retention. These performance committees, composed of an equal number of lay persons and lawyers, will release their evaluation summaries and will recommend whether a nonpartisan judge should be retained. The bottom line recommendations, and directions to a Web site with detailed evaluation information, will be made available in a concise voter information pamphlet - the type of pamphlet we hope one day to be able to send to all the voters.

Each of these proposals is feasible. None require any state funding or any new legislation; all are within the scope of the Supreme Court's constitutional authority over the judiciary. We look forward to the public's feedback about the improved retention evaluation system and to any other creative suggestions they may have for additional enhancements.

### **Conclusion**

In conclusion, all the things I have talked about this morning merely help us accomplish our mission of providing fair and impartial justice in the nearly 1 million cases that come before our state's courts each year. We take every one of these cases very seriously, because we know that each one is the most important case in the world to the people involved.

While we judges often are struck by the weight of this responsibility, and while we may agonize about doing what the facts and the law of a particular case require, this responsibility is part of what we cherish most about our role in the court system. In the end, we are honored to be public servants, just like you.

As most of you know, one of Missouri's fine nonpartisan judges - my colleague Steve Limbaugh - recently was nominated by President Bush to become a federal district court judge. Steve is the epitome of a public servant. His life in public service - first as a prosecutor in Cape Girardeau County, then as a circuit judge there and, since 1992, as a Supreme Court judge - has been shaped by the examples of civility, courtesy and professionalism that Steve's grandfather and father set for him. He has been a real mentor for me on the Court, and I will greatly miss his sharp intellect, his insight, his wit and his camaraderie.

But I know Judge Limbaugh is eager to bring that same wisdom to the federal bench. When he does so, he will become the latest in a long series of Missouri nonpartisan plan judges who had such merit that they were nominated to join the federal bench, including Duane Benton and Theodore McMillian on the 8th Circuit appeals court as well as Henry Autrey, Gary Fenner, Fernando Gaitan, George Gunn, Jean Hamilton and Elmo Hunter on the district court bench, to name but a few.

We know Judge Limbaugh and Judge Kays, like their predecessors, will make Missouri proud. Thank you.

And thanks to all of you.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 373 through House Resolution No. 406

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 64** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1959** through **HB 1982** were read the second time.

## PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HB 2019**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2019** was ordered perfected and printed.

**HB 2020**, relating to appropriations, was taken up by Representative Icet.

Representative Stevenson offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 2020, Page 2, by deleting Section 20.040 and inserting the following new section:

"Section 20.040. To the Office of Administration For the Department of Public Safety For planning, design, and construction of a new crime lab in Jasper County From General Revenue Fund . . . . .	\$300,000
From State Highways and Transportation Department Fund . . . . .	<u>200,000</u>
Total . . . . .	\$500,000"; and

Amend bill totals accordingly.

On motion of Representative Stevenson, **House Amendment No. 1** was adopted.

Representative Dixon offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Bill No. 2020, Page 1, by inserting two new sections preceding Section 20.015 as follows:

"Section 20.005. To Missouri State University For start-up costs of a joint engineering program with Missouri University of Science and Technology, including but not limited to laboratory development, equipment purchases, and laboratory set-up From General Revenue Fund . . . . .	\$500,000
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Section 20.010. To the University of Missouri For start-up costs at the Missouri University of Science and Technology for a joint engineering program with Missouri State University, including but not limited to distance education facility development, equipment purchases, laboratory development, and course development From General Revenue fund . . . . .	\$500,000"; and
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Adjust title and bill totals accordingly.

On motion of Representative Dixon, **House Amendment No. 2** was adopted.

On motion of Representative Icet, **HB 2020, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 1970** - Special Committee on Professional Registration and Licensing

### **RE-REFERRAL OF HOUSE BILLS**

The following House Bills were re-referred to the Committee indicated:

**HB 1704** - Special Committee on Rural Community Development

**HB 1831** - Health Care Policy

### **COMMITTEE REPORTS**

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 55**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1406**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1575**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 1983**, introduced by Representative Pratt, relating to business organizations.

**HB 1984**, introduced by Representatives Sander, Harris (110), Faith, Pollock, Franz, Wilson (119), Schlottach, Scharnhorst, Cox, Wells, Grisamore, Moore, Nance, Loehner, Onder, Nolte, Nieves, Muschany, Avery, Lembke, Hobbs, Quinn (7), Flook, Emery, Dusenberg, Hunter, Self, Ervin, Viebrock, Wood, Dethrow, Stream, Schad, Wright, Davis, Lipke, Smith (150), Cooper (155) and Sater, relating to confidentiality of certain governmental records.

**HB 1985**, introduced by Representatives Oxford, Darrough and Low (39), relating to prepayment loan penalties.

**HB 1986**, introduced by Representatives Oxford, Harris (110), Komo, Frame, Meadows, Roorda, Fallert, Casey, Darrough, George, Walsh, Chappelle-Nadal and Storch, relating to the regional taxicab commission.

**HB 1987**, introduced by Representatives Oxford, Harris (110), Chappelle-Nadal, Young, Daus, Wright-Jones, Johnson and Nasheed, relating to actions for money damages for conduct or speech at public hearings or meetings.

**HB 1988**, introduced by Representatives Oxford, Brown (50), Fallert, Lampe, Swinger, Schoemehl, Storch, Chappelle-Nadal, Kuessner, Nasheed, Spreng, Bland, Holsman, Corcoran, Faith, Meadows, Komo, Wright-Jones, Talboy, El-Amin, Yaeger, Page, George and Daus, relating to school class size.

**HB 1989**, introduced by Representative Baker (123), relating to termination of parental rights.

**HB 1990**, introduced by Representatives Wilson (130), Grill, Sander, Ruestman, Moore and Funderburk, relating to anatomic pathology services.

**HB 1991**, introduced by Representatives Grisamore, Pratt and Salva, relating to the drug court commissioner in the sixteenth judicial circuit.

**HB 1992**, introduced by Representatives Talboy, Johnson, Holsman, Curls, Hughes, Grill, George, Skaggs and Roorda, relating to training of security guards.

**HB 1993**, introduced by Representatives Talboy, Portwood, Hughes, Lowe (44), Holsman, Brown (50), Grill, Low (39), Skaggs, Corcoran, Darrough, Daus, Wright-Jones, Burnett, Vogt, Oxford, Dougherty and Donnelly, relating to insurers acting in concert.

**HB 1994**, introduced by Representatives Bivins, Tilley, Cooper (155) and Daus, relating to dam and reservoir safety.

**HB 1995**, introduced by Representatives Schieffer and Schneider, relating to counties changing classification.

### **WITHDRAWAL OF HOUSE BILL**

January 30, 2008

Adam Crumbliss, Chief Clerk  
Chief Clerk's Office  
State Capitol  
Jefferson City, MO 65101

Dear Adam:

I respectfully request that **House Bill No. 1579** be withdrawn at this time as it was written in the wrong statute. I will re-file this bill under appropriate statute.

Thank you for your consideration.

Yours truly,

/s/ Bob Nance  
State Representative  
District 36

The following members' presence was noted: Haywood, Hunter, Loehner and McClanahan.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, February 6, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1333, HB 1483, HCR 4

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 7.

Continuation of Department of Natural Resources FY09 budget presentation and the FY09 budget presentation from the Department of Agriculture.

#### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 3.

Department of Revenue budget (if needed).

Office of Public Defender and Judiciary.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 3.

Presentation of Governor's recommendations for Public Safety and Corrections. Executive session may follow.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 6, 2008, 5:00 p.m. Hearing Room 5.

Executive session. AMENDED

Public hearing to be held on: HB 1722

**LOCAL GOVERNMENT**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 4.

Public hearings to be held on: HB 1304, HB 1355, HB 1415, HB 1470, HB 1711

**RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, February 6, 2008, 2:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCS HJR 55, HCS HB 1380, HB 1386, HB 1313

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1357, HB 1570, HB 1572, HB 1640

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 1.

Public testimony on the uninsured and Insure Missouri will be taken as well as testimony from the Missouri Hospital Association. AMENDED

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

Committee may reconvene upon adjournment. AMENDED

Public hearing to be held on: HB 1806

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 1393

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, February 6, 2008, 5:00 p.m. Hearing Room 7. AMENDED

Public hearings to be held on: HB 1736, HJR 48, HB 1626, HB 1771

Executive session will be held on: HB 1538, HB 1463

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 6, 2008, 8:00 a.m. Hearing Room 7.

Committee will hear a presentation by Mr. Chris Chung of the Missouri Partnership.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1700, HB 1970, HB 1418, HB 1643

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 6, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1554

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1511, HB 1512, HB 1636

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 6, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1318, HB 1424

**WAYS AND MEANS**

Thursday, February 7, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 1370, HB 1523, HB 1766, HJR 42

**HOUSE CALENDAR**

SIXTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2008

**HOUSE BILLS FOR SECOND READING**

HB 1983 through HB 1995

**HOUSE BILL FOR PERFECTION**

HB 1661 - LeVota

**HOUSE BILLS FOR PERFECTION - CONSENT**

(1/31/08)

- 1        HB 1310 - Hoskins
- 2        HB 1311 - Hoskins
- 3        HB 1320 - Brown (50)

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1        HB 2019 - Icet
- 2        HB 2020 - Icet



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTEENTH DAY, WEDNESDAY, FEBRUARY 6, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

You alone are the Lord; You have made heaven, the heaven of heavens, with all their host, the earth and everything on it, the seas and all that is in them, and You preserve them all.

As we look to You, we remember the privilege we have of being able to live our lives in the enjoyment of divine favor. We remember the mercy You have shown us in providing for our temporal needs and blessing our willingness to serve.

You have shown us how to govern and how to serve and they have now become precious commodities. Grant us the ability to do both well.

Now may these words of ours, in which we make prayer before You, be near You day and night, that You may maintain the cause of Your servants and the cause of Your people as each day may require.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifteenth day was approved as printed.

Representative Schoeller assumed the Chair.

## MOTION

Representative Tilley moved that Rule 114 be suspended.

Which motion was adopted by the following vote:

AYES: 144

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 120	Corcoran	Cox	Cunningham 145	Cunningham 86
Curts	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110

Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 007

Daus	George	Skaggs	Talboy	Vogt
Wildberger	Zimmerman			

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 006

Avery	Baker 25	Bland	Chappelle-Nadal	Cooper 155
Harris 23				

VACANCIES: 005

Speaker Jetton resumed the Chair.

## JOINT SESSION

The hour of the Joint Session having arrived, the Senate in a body was admitted and Lieutenant Governor Kinder, presiding, called the Joint Assembly to order.

The Secretary of the Senate called the roll, which showed a majority of the Senators present:

AYES: 030

Barnitz	Bartle	Bray	Callahan	Clemens
Coleman	Crowell	Days	Dempsey	Engler
Gibbons	Goodman	Graham	Green	Griesheimer
Justus	Kennedy	Lager	Mayer	McKenna

Nodler	Purgason	Ridgeway	Rupp	Scott
Shields	Shoemyer	Smith	Stouffer	Wilson

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 004

Champion	Koster	Loudon	Vogel
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VACANCIES: 000

The Chief Clerk of the House called the roll, which showed a majority of the Representatives present:

AYES: 129

Aull	Baker 123	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Cooper 120
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Guest	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	

NOES: 000

PRESENT: 003

Darrough	George	Vogt
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ABSENT WITH LEAVE: 026

Avery	Baker 25	Bivins	Bland	Chappelle-Nadal
Cooper 155	Corcoran	Davis	El-Amin	Grill
Grisamore	Harris 23	Hobbs	Hunter	Icet
Jones 89	Jones 117	Lembke	Lowe 44	McClanahan

Schneider  
Mr Speaker

Sutherland

Talbot

Wildberger

Zweifel

VACANCIES: 005

## STATE OF TRANSPORTATION ADDRESS

by  
**Pete Rahn**

Lt. Governor, Mr. Speaker, Mr. President Pro Tem, Distinguished State Officials, Members of the 94th General Assembly, Members of the Missouri Highways and Transportation Commission and Citizens of Missouri:

The road to credibility is a long one. The road to discredit is not. Credibility takes a long time to build, but it can be torn down in a matter of seconds.

The road to credibility is paved with openness and honesty; dedication and hard work; success and commitments met; an innovative spirit and efficient approaches. This journey takes years to travel.

Discredit can come from one misstep. One poor decision. One catastrophic event handled poorly. It is less a journey than a trap door that sends an organization's reputation plummeting.

In 2003, many Missourians including the General Assembly believed that the trap door had fallen out from under the Missouri Department of Transportation. That is when this speech was created to increase our accountability.

A law requiring the director of MoDOT to report annually from this dais mandated a level of scrutiny, a level of accountability never before applied to a state agency. We have taken this responsibility seriously and have endeavored to present an enlightening report each year.

The first address was given in 2004 with a promise that a new day had dawned at MoDOT. In 2005, I reiterated that pledge and further promised that we would be a model for what today's state government should be - efficient, streamlined, forward thinking, results-driven and customer-oriented.

We have worked hard to become that kind of agency. Our focus has been on delivering results. Rebuilding trust. Demonstrating to you that we are an organization worthy of your support. Each year, during this address, I have reported to you regarding our progress toward these goals. Our progress along the road to credibility.

The State of Transportation Address was created five years ago with a five-year sunset clause. Dramatic improvement was expected or the General Assembly could extend this accountability measure beyond five years. With that in mind, I am proud to say this is the fifth and final State of Transportation Address!

I believe the elimination of this speech sends a clear signal that MoDOT has regained its footing and your trust. Five years ago we faced uncertainty, but today there is no doubt - we've come a long way in a short time. A long way down the road to credibility.

Today, I am happy to report that we have reached our destination. Perceptions have changed and it is now a reality - the state of transportation in Missouri is strong and the state of your Department of Transportation is even stronger. We have regained our credibility and then some. The proof is in the results. Just look how far we have come.

The result that motivates us everyday is the safety of our citizens. We have gone from a state where an obscene number of our family, friends and neighbors were dying on our roadways to a state that leads the nation in reducing traffic fatalities.

In 2006, there were 868 fewer deaths on America's roadways. Missouri accounted for 161 of those lives saved. That means that a state that makes up less than 2 percent of the nation's population accounted for 19 percent of lives saved on America's roads. We led the nation in lives saved. That is proof of how far we've come.

In 2007, the great news continued. Together with the Highway Patrol, the Missouri Coalition for Roadway Safety and highway safety advocates throughout our state, we experienced 118 fewer deaths on our roads.

That reduction in fatalities put us below 1,000 for the first time since 1993, which met the goal of the Coalition for Roadway Safety a full year early.

Our work, however, is not finished. We have come a long way in reducing deaths on our roadways. We could have saved even more lives with a primary safety belt law - 90 more lives this last year alone.

Additionally, while highway fatalities are down overall, deaths among motorcyclists are up. We must have a renewed focus on motorcycle safety and I urge you to never add to these deaths by repealing Missouri's helmet law.

We must also ensure that law enforcement officers have the tools they need to help keep our roads safe. I commend Senator Ryan McKenna for proposing a dedicated revenue stream for the Highway Patrol that will mean more funding for law enforcement and more lives saved on Missouri's roadways.

We have come a long way decreasing fatalities and part of the reason is that Missouri's roads have gotten smoother and safer - soon.

In 2006, we delivered 2,200 miles of smoother, safer roads a full year ahead of schedule. We are now building on that success with our Better Roads, Brighter Future initiative which will result in 5,600 miles of major roads with smooth pavement; brighter, wider striping; larger signs; rumble stripes; and, in most cases, a minimum four-foot paved shoulder all by 2012.

With just one year of Better Roads, Brighter Future completed, 78 percent of our major roads are now in good condition as compared to 44 percent just five years ago. That is progress that benefits all of us. That is an example of how far we've come.

The vast improvement of our highway system has gained national attention. The respected Reason Foundation released a report in 2007 analyzing the overall performance of every state's highway system.

Missouri climbed from 39<sup>th</sup> to 17<sup>th</sup> between 2000 and 2005 including an eleven-spot jump from 2004 to 2005 - the second biggest improvement in the country. And that was prior to the full effects of the Smooth Roads Initiative or any of the positive improvements through Better Roads, Brighter Future, which will undoubtedly move us up the rankings in future years.

The Reason Report also cited MoDOT's low administrative costs, making up only two percent of our budget, as playing a key role in the performance of our highway system. Missouri was listed as having the third lowest administrative costs per mile of any state in the nation. Our performance is being recognized nationally and is improving everyday. That is proof of how far we've come!

We are delivering significant results for the people of Missouri and we are saving them significant money while we do it.

Construction contracts awarded in Fiscal Year 2007 came in 7.4 percent under budget. That was a 90 million dollar savings - 90 million dollars more for road and bridge improvements. For Fiscal Year 2008, so far we are at 114 million dollars or 14 percent under budget.

Additionally, all projects in our five-year plan that were sped up due to Amendment 3 funding have been awarded to a contractor. With 100 percent of these projects under contract, we came in at 4 percent under budget. That is even more savings for even more highway improvements. That is an example of how far we've come!

But, construction is not the only place we are saving money. We have reduced workers compensation costs 7 million dollars. That savings comes from an unwavering emphasis on worker safety that delivered a 69 percent reduction in lost work days, which also means MoDOT employees are more productive and are accomplishing more for Missourians.

By reducing costs. By spending taxpayer money wisely. We are getting the best value for every dollar spent and we are able to think big when it comes to delivering transportation "wow" to the people of Missouri.

"Wow" was not the word that passed the lips of people in St. Louis when they found out we would be closing separate five-mile sections of Interstate 64 each of the next two years. I can't repeat many of those words here.

We closed the first five miles in the heart of the St. Louis region on January 2. Prior to the closure, headlines screamed predictions like "Apocalypse Now!" and "Traffic Nightmare!"

We, along with Gateway Contractors, St. Louis County, the city of St. Louis and the Highway Patrol, did everything in our power to keep those prophecies from becoming realities. We also provided a 3 million dollar incentive to Metro to increase ridership.

The people listened and, to their credit, the headlines immediately after the closure read "So far, so good," "Region's traffic nightmare a no-show," "Preparation Pays Off," and "Closure Off to Smooth Start." Commuters have adjusted their habits and have helped the region avoid its predicted traffic nightmare.

I particularly appreciated a letter from Representative Scott Muschany in which he states, "The smoothness of the entire project to date is a great testimony to your department's planning and regional leadership. The old MoDOT could not have pulled this off five years ago."

To further demonstrate the success of the project, the presidents' of Civic Progress, the Regional Chamber and Growth Association and the Regional Business Council jointly said in a letter "We look forward to more projects designed and managed by MoDOT, working together in making the region a more attractive place for business and continually improving economic opportunity and prosperity."

In 2010, St. Louis will enjoy ten miles of new, smooth pavement; 30 new, safer and more attractive bridges; and a new, safer high-speed interchange at Interstate 170. All of these improvements will be completed in three years instead of seven. That is real progress in our largest Metropolitan area. That is the biggest highway project in Missouri history. That shows how far we've come!

While the predicted crisis on I-64 didn't happen, we did have to respond to a real crisis right here in Jefferson City on November 27, 2007. We knew we had to act fast when an 8,000-gallon fuel tanker overturned and exploded on Highway 54 causing extensive damage to the Jefferson Street Overpass.

Within days, a complete replacement of the overpass was under contract. Working through snow, ice and extremely cold weather MoDOT employees and contractor Pace Construction tore down, rebuilt and reopened the overpass in just 37 days. Normally, this project would have taken months under the best conditions. That shows what we can do. That shows how far we've come!

The I-64 and Jefferson Street Overpass Teams are here today. Lesley Hoffarth and Tom Blair of MoDOT, Charlie Dooley and Garry Earls from St. Louis County, Captain Ron Johnson of the Highway Patrol and Ray Friem from Metro, as well as the Jefferson Street Overpass Team of Christopher Graham, Bryan Hartnagel and Jay Bestgen are in the gallery. I ask that they all stand and be recognized.

Bridges were certainly a major concern for motorists in 2007. The collapse of the Interstate 35 Bridge in Minneapolis directed renewed attention to the need for reliable transportation infrastructure and, particularly, bridge safety. We acted immediately to inspect all bridges similar in design to the one in Minnesota and to ensure their safety.

It is imperative, though, that we take major action to address a vast number of bridges quickly. With over 10,000 bridges, Missouri has the seventh most of any state in the union. We face a crisis as more than 1,000 are structurally in serious condition. Many are one step away from being closed.

That is why we initiated our Safe and Sound Bridge Improvement Program. Eight hundred two of our worst bridges will be repaired or replaced by 2013. I thank Governor Blunt for calling a special session and the General Assembly for passing legislation to make sure this vital initiative moves forward.

In the aftermath of the Minneapolis bridge collapse, the nation was looking for answers and many eyes turned to the Show-Me State. Headlines nationally and internationally pointed to Missouri's innovative Safe and Sound Bridge initiative as a possible model for the entire nation.

Members of Congress took note and are watching our progress closely to see how it can be applied elsewhere. Even the Secretary of the United States Department of Transportation Mary Peters said that the Safe and Sound Bridge Program is "...attracting national attention for its especially creative approach..."

As of today, we are in the final stages of negotiations with Missouri Bridge Partners trying to bring this program to fruition.

While Safe and Sound will fix more than 800 bridges, it will not address our large river bridges that span more than 1,000 feet. I am pleased, however, that the Paseo Bridge in Kansas City will soon be replaced with a landmark structure. In November 2007, we awarded a contract that will lessen traffic congestion and increase mobility while adding an iconic bridge to the city's skyline.

The I-29 and I-35 connector project, known as kcICON, will result in safer, more convenient travel and a beautiful bridge that will be a Kansas City landmark for many decades to come.

This was also a landmark project because of the level of community involvement in its design. A 12-member citizen's advisory panel spent untold hours volunteering their time to choose a bridge that would add a dramatic architectural marvel to the city's skyline. They were given unprecedented access and input and their decision was final. That is a first in our nation. The result will be a bridge of which all Missourians can be proud. A bridge that shows how far we've come!

I am also pleased to report that Missouri and Illinois are in almost daily contact regarding another critical bridge project, the new Mississippi River Bridge in St. Louis. I remain hopeful that an agreement can be reached soon to move this project forward.

Unfortunately, there are many more major river bridges in Missouri that need to be replaced or repaired. In fact, we have more than any other state and more than 25 states combined.

To replace all the large bridges that need to be fixed would cost 7 billion dollars. To make sure they are at least in satisfactory condition would cost 300 to 500 million dollars over ten years. Either way we don't have the money.

Which brings me to another important topic. What would a State of Transportation Address be without a discussion of funding? It wouldn't be this one.

The perfect storm continues to brew on the transportation horizon. Three major factors are stirring up gale force winds that are coming on like a freight train set to arrive in 2010.

At that time, Amendment 3 bond money will be used up. We have been able to make great improvements to our highways and bridges quickly because of voter mandated bonding, but the proceeds dry up and future Amendment 3 revenues will go to repay the bonds.

On the federal front, money for highways is set to plummet unless Congress takes bold steps to prevent the tumble. In 2010, we will likely go from a 43 billion dollar federal highway program to a 25 billion dollar one - a 40 percent drop.

While we produce projects of great value through radical cost controls and budget management, the fact is our dollars are buying fewer projects overall because of rising costs for the materials that go into our roads and bridges.

For example, since 1997 state revenue for roads and bridges has grown 36 percent. At the same time, asphalt prices rose 97 percent - almost three times as much. Concrete has risen 48 percent. Steel has increased 57 percent. And, fuel to mow right of ways and move dirt has increased an incredible 204 percent.

In 2010, these factors converge and the bottom drops out of Missouri's transportation funding. We go from a 1.2 billion dollar construction program in 2005 to a 569 million dollar one. From the largest highway-building program in Missouri history to one where we will struggle to maintain roads. We will go from an improving highway system to one that is deteriorating.

And while I would love to stand here and expound on all the great achievements we have had making our other modes of transportation better, funding for those vital services has never been adequate. It is showing.

Ridership on Amtrak is growing in every state - except Missouri. Infrequent trips. Consistent delays of two hours or more. Passengers having to ride buses. It is little wonder Missourians are not flocking to Amtrak.

We have a plan to address Amtrak. It starts with allocating an additional 10 million dollars in funding to add tracks and install electronic on time messaging at stations across the state. I urge your support for this package. We must keep passenger rail viable in Missouri.

At the same time, I commend Governor Blunt for proposing a 4 million dollar increase in funding for ports. Missouri is blessed with an abundance of waterways. It is imperative we invest more in this underused freight movement and transportation mode. We must see similar investment in aviation, public transit and bike and pedestrian facilities.

I am very concerned that the investments made in transportation by our grandparents that have given us unprecedented mobility and prosperity are not being made by our generation. Our children and grandchildren will not enjoy the same economic advantages and quality of life because of our refusal to pass along a comparable legacy.

Clearly, our transportation needs are great. The people of Missouri have identified 37 billion dollars in transportation priorities over the next twenty years. We project only 19 billion dollars in funding. That means an 18 billion dollar gap, not including inflation, between our needs and our ability to meet them. While the public has filed mignon expectations, MoDOT has filed o' fish funding.

I am encouraged that the discussion of transportation funding is ongoing and vibrant. More and more policy makers and key public opinion leaders are expressing concern about our looming funding crisis. They are exploring options for keeping us from going over the cliff.

Senator Bill Stouffer and Representative Neal St. Onge deserve credit for putting forward proposals that would dramatically increase funding for transportation. They are also leading efforts to educate the public about this dire situation.

Other innovative proposals have been put forth such as Senator John Loudon's legislation to dedicate a portion of the growth in general revenue to transportation. Meanwhile, Senator Matt Bartle continues to promote tolls as another tool to pay for needed highway improvements. I commend their leadership.

The discussion of funding must also include public private partnerships. Private sector investment in public sector improvements is a fact of life in today's global economy. I appreciate that Representative Charlie Schlottach has recognized that fact and is seeking to make public private partnerships a more readily available option for funding vital transportation projects.

The needs that directly impact our state's economic competitiveness are not going away. Our two busiest interstates, I-70 and I-44, are overcrowded and that congestion is growing everyday. They also have been stretched beyond their limits. The 7 billion dollars necessary to completely rebuild and expand them - with dedicated truck lanes to separate 18-wheelers from family sedans - is a monetary illusion as we stand today.

What isn't an illusion is that climate change is an issue we must address. Discussions about transportation from here on out will include greater emphasis on environmentally sensitive approaches and solutions.

MoDOT is doing its part to be a greener organization and to protect the environment. We are using recycled roof shingles, tires and other materials in our pavement. In 2007, MoDOT used more than 3 million tons of asphalt containing recycled material on 1,020 miles of highway. Our efforts earned us the State Recycling Award last year.



At the same time, our entire vehicle fleet uses E-85 ethanol fuel and we use more biodiesel than all other state agencies combined. Plus, we are the first government agency in the nation to use hybrid bucket trucks. We are dedicated to being good stewards of the environment and we know that projects like the reconstruction of I-70 and I-44 must have a significant green focus.

There is no question environmental issues will play a large role in the reconstruction of these two interstates. There is, however, a question about how we will reconstruct them and the answer is more funding.

But, why should you trust us with more money? Because we have come a long way in just five years and we have shown you the results.

During my first address to the General Assembly, I made a lot of bold statements about how MoDOT would improve dramatically and as a result so would Missouri's transportation system.

I also said that I understood this is the Show-Me State and that we would have to show you the results. At that point, Speaker Rod Jetton started clapping verifying that we would indeed have to show him.

I would like to read you a quote from last December. "I gave MoDOT a hard time when it didn't perform well, and I feel I should brag on MoDOT now that it has things fixed. I am proud of MoDOT and the job it is doing. Seven years ago I never thought I would be able to say that. I can tell you it's great for Missouri. It's great for our economy. And, most importantly, it's great for our families."

I think you know where I'm going with this. The person who said that is Speaker Rod Jetton. We showed the Speaker results and we are showing all Missourians results. That shows how far we've come!

The Show-Me state is seeing results. We have installed median guard cables on I-70, I-44 and other interstates virtually eliminating cross over fatalities. We have expanded customer service to where you can reach a live person at MoDOT 24 hours a day, seven days a week, 365 days a year. We have reduced roadway fatalities by 23 percent in two years. We have gone from the third worst highway system in the country to an estimated ninth best.

We have come in under budget on 5.7 billion dollars in highway construction since 2003. And, we have saved 500 million dollars through Practical Design, which delivers highway improvements without unnecessary frills.

Secretary of Transportation Mary Peters has said that "The Show-Me State is showing America how to deliver highway projects on budget and on schedule, and even ahead of schedule."

We are showing the nation and we are showing Missourians how far we've come. Customer satisfaction in MoDOT has climbed dramatically since 1999. Seventy-nine percent of Missourians say they think MoDOT is credible and worthy of their trust. That shows how far we've come!

We have come a long way in a short time. We are saving lives. We are making highways smoother. We are saving taxpayers' money. We are involving and listening to citizens. We have regained the trust of the people of this state.

Our remarkable turnaround has been noticed nationally and in our state. In November of last year, MoDOT won the prestigious Missouri Quality Award. We went through a rigorous review and emerged with an award that recognizes innovation, leadership, customer service, efficiency and that confirms we are a high performing organization on par with past winners like Boeing, Anheuser-Busch and Sprint. Winning the Missouri Quality Award demonstrates how far we've come!

We have come a long way, but we know success is not a destination - it is a journey. And, the only way we succeed is together. For MoDOT's part, we remain committed to our mission of "Providing a world-class transportation experience that delights our customers and promotes a prosperous Missouri."

I bring this final address to a close, however, with a statement I made in 2005. We have shown you amazing progress. But, you ain't seen nothin' yet!

Thank you and may God bless your travels.

The Joint Session was dissolved by Senator Shields.

Speaker Jetton resumed the Chair.

### **HOUSE RESOLUTIONS**

Representatives Bruns and Deeken offered House Resolution No. 440.

Representative Loehner offered House Resolution No. 447.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 407 through House Resolution No. 439

House Resolution No. 441 through House Resolution No. 446

House Resolution No. 448

### **HOUSE CONCURRENT RESOLUTION**

Representative Ervin offered House Concurrent Resolution No. 20.

### **SECOND READING OF HOUSE BILLS**

**HB 1983** through **HB 1995** were read the second time.

### **PERFECTION OF HOUSE BILL**

**HB 1661**, relating to a nonresident taxable income, was taken up by Representative LeVota.

Representative Yates offered **House Amendment No. 1**.

Representative Richard raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative LeVota, **HB 1661** was ordered perfected and printed.

## **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 1661** - Fiscal Review (Fiscal Note)

## **COMMITTEE REPORTS**

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 55**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1313**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1380**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1386**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 65**, introduced by Representatives Icet and St. Onge, relating to limitations on property tax revenue.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 1996**, introduced by Representative Pratt, relating to the assignment of comparative fault for operating a motorcycle.

**HB 1997**, introduced by Representative Jones (117), relating to the law enforcement safety act.

**HB 1998**, introduced by Representatives Johnson, Schieffer, Meadows, Faith, George, Daus, Nolte, Harris (110), Scavuzzo, Wood and Roorda, relating to adoption records.

**HB 1999**, introduced by Representatives McGhee and Aull, relating to wrecker or towing services.

**HB 2000**, introduced by Representative McGhee, relating to ambulance staffing.

**HB 2026**, introduced by Representatives Emery, Ruestman, Brown (30) and Moore, relating to sexually oriented businesses.

**HB 2027**, introduced by Representatives Baker (123) and Scavuzzo, relating to regulation of sanitary conditions.

**HB 2028**, introduced by Representatives Denison, Franz, Wright, Fisher and Norr, relating to medical diagnosis and treatment.

**HB 2029**, introduced by Representatives Muschany, Pratt, Jones (117), Nieves, Jones (89), Flook, Onder, Fisher, Quinn (7), Grisamore, Portwood, Funderburk, Wilson (119), Munzlinger, Nance, Bivins, Schad, Sander and Cooper (155), relating to the general assembly.

**HB 2030**, introduced by Representatives Lowe (44), Chappelle-Nadal, Burnett, Liese, Schieffer, Young, Frame, Vogt, Corcoran, McGhee, Meiners, Hughes, Rucker, Curls, Spreng, Norr, Talboy, Oxford, Avery, Meadows, Zweifel, Wildberger, Walsh, Scavuzzo, George, Hodges, Schoemehl, Funderburk, Skaggs, Yaeger, Harris (110), Roorda, LeVota, Page, Bringer, Witte and Zimmerman, relating to good faith employee negotiations.

**HB 2031**, introduced by Representatives Nasheed, Hoskins, Oxford, Walton, Talboy, Burnett, Vogt, Hughes, Rucker, McGhee, Hubbard, El-Amin, Johnson, Dougherty and Haywood, relating to expungement of certain criminal records.

**HB 2032**, introduced by Representatives Young, Dougherty, Faith, Talboy, Wilson (130), Schneider, Norr and Baker (25), relating to the term "mental retardation" as used by the division of mental retardation and developmental disabilities.

**HB 2033**, introduced by Representative Page, relating to monitoring of drugs.

**HB 2034**, introduced by Representatives Munzlinger, Sander, Dougherty, Hobbs, Jones (117), Brown (30), Whorton, Wilson (119), McGhee, Nieves, Day, Fisher, Sater, Ruzicka, Wallace, Schoeller, Onder, Funderburk, Nance, Meadows, Schieffer, Parson, Frame, Darrough and Scharnhorst, relating to firearm ranges and hunting preserves.

**HB 2035**, introduced by Representatives Robb and Sater, relating to the submission of personal property lists by rental and leasing facilities.

**HB 2036**, introduced by Representatives Nance, Smith (14), Brandom, Hodges, Grill, Bruns, Tilley, Weter and Jetton, relating to appropriation of funds for certain services for the elderly.

**MESSAGE FROM THE GOVERNOR**

February 6, 2008

**REORGANIZATION PLAN NO. 2  
2008**

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY  
OF THE STATE OF MISSOURI:

By virtue of the authority vested in me by the Constitution and laws of the State of Missouri, including the Omnibus State Reorganization Act of 1974 and sections 26.500 through 26.540, RSMo, I hereby transmit Reorganization Plan No. 2 of 2008, by Executive Order 08-04 to transfer the function of processing payments for examinations for sexual assault victims from the Department of Health and Senior Services to the Department of Public Safety.

The transfer of state payment of these services will improve efficiencies within state government, as the Department of Public Safety is the primary state agency for providing services to victims of crime.

Respectfully Submitted,

/s/ Matt Blunt  
Governor

**EXECUTIVE ORDER  
08-04**

WHEREAS, the Department of Health and Senior Services is authorized under Chapter 192, RSMo; and

WHEREAS, Section 191.225, RSMo, requires the Department of Health and Senior Services to pay for forensic examinations provided to victims of sexual offenses; and

WHEREAS, these payments currently are processed by the Department of Health and Senior Services, Division of Community and Public Health; and

WHEREAS, the Missouri Department of Public Safety is authorized under Article IV, Section 12, of the Missouri Constitution and Chapter 650, RSMo; and

WHEREAS, the Missouri State Highway Patrol is housed in the Department of Public Safety and currently distributes victim sexual assault kits to law enforcement and hospitals throughout the state; and

WHEREAS, the Crime Victims' Compensation Fund Program is within the Department of Public Safety and is the state agency that coordinates and provides financial assistance to victims of crime; and

WHEREAS, the administration of sexual assault examination payments would be strengthened by a move to the Department of Public Safety where other statewide programs providing services to crime victims are located; and

WHEREAS, I am committed to integrating executive branch operations to ensure that the state delivers quality services in the most accessible manner and at the lowest cost to taxpayers.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, do hereby order the Department of Health and Senior Services and the Department of Public Safety to:

1. Transfer all the authority, powers, duties, functions, records, personnel, property, contracts, budgets, matters pending, and other pertinent vestiges of the sexual assault evidentiary kit and exam payment program to the Department of Public Safety by Type I transfer, as defined under the Reorganization Act of 1974;

2. Develop mechanisms and processes necessary to effectively transfer the sexual assault evidentiary kit and exam payment program to the Crime Victims' Compensation Fund Program in the Department of Public Safety; and
3. Transfer the responsibility for staff support for the program to the Department of Public Safety's Crime Victims' Compensation Fund Program.

This Order shall become effective no sooner than August 28, 2008, unless disapproved within sixty days of its submission to the Second Regular Session of the 94<sup>th</sup> General Assembly.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 6<sup>th</sup> day of February, 2008.

/s/ Matt Blunt  
Governor

ATTEST:

/s/ Robin Carnahan  
Secretary of State

The following members' presence was noted: Avery and Chappelle-Nadal.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m, Thursday, February 7, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1333, HB 1483, HCR 4

#### **APPROPRIATIONS - EDUCATION**

Monday, February 11, 2008, 11:00 a.m. Hearing Room 1.

Presentations from Presidents, Chancellors or administrative staff from Higher Education Institutions.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 3.

Continuation of presentations from Presidents, Chancellors or administrative staff from Higher Education Institutions.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 1.

Committee will work on finalizing their report.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 5.

Continuation of budget review for the Departments of Mental Health, Health and Senior Services, and the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Monday, February 11, 2008, 12:00 p.m. Hearing Room 6.

Conclusion of 2009 budget review for the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 5.

2009 funding recommendations and report review.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 5.

2009 funding recommendations and report review.

**ELEMENTARY AND SECONDARY EDUCATION**

Thursday, February 7, 2008, Side Gallery upon morning adjournment.

Executive session may be held.

**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.

Briefing/update by the Missouri Gaming Commission.

Election of Committee Chairman.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

Committee may reconvene upon adjournment. AMENDED

Public hearing to be held on: HB 1806

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, February 7, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1700, HB 1970, HB 1418, HB 1643

**WAYS AND MEANS**

Thursday, February 7, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 1370, HB 1523, HB 1766, HJR 42

**HOUSE CALENDAR**

SEVENTEENTH DAY, THURSDAY, FEBRUARY 7, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 65

**HOUSE BILLS FOR SECOND READING**

- 1 HB 1996 through HB 2000
- 2 HB 2026 through HB 2036

**HOUSE BILLS FOR PERFECTION - CONSENT**

(1/31/08)

- 1 HB 1310 - Hoskins
- 2 HB 1311 - Hoskins
- 3 HB 1320 - Brown (50)

(2/07/08)

- 1 HB 1313 - Wright
- 2 HCS HB 1380 - Sater
- 3 HB 1386 - Cox

**HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HB 2019 - Icet
- 2 HB 2020 - Icet

**HOUSE BILL FOR THIRD READING**

HB 1661, (Fiscal Review 2-6-08) - LeVota



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTEENTH DAY, THURSDAY, FEBRUARY 7, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, You give "wisdom to the wise and knowledge to those who understand". (*Daniel 2:21*) "In my inmost being you teach me wisdom". (*Psalms 51:8*)

Yes, Lord, bless us with the gift of wisdom as we move toward the weekend, and bless us with time to reflect, to reflect upon the implications for our work of the continuing presidential race, of the message of the state of the judiciary, and of other information presented to us. Give us the ability to discern the truths revealed, to see clearly the most important truths and the influence they should have upon our work today in the coming weeks.

We pray to You, Almighty God and Father of humankind. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the sixteenth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 449 through House Resolution No. 486

## HOUSE CONCURRENT RESOLUTION

Representative Smith (14) offered House Concurrent Resolution No. 21.

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 65** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 1996** through **HB 2000**, and **HB 2026** through **HB 2036** were read the second time.

## THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HB 2019**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2019** was read the third time and passed by the following vote:

AYES: 151

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Baker 25	Chappelle-Nadal	Donnelly	Dougherty
McClanahan	Yates			

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HB 2020**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2020** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 004

Burnett	Frame	Johnson	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Baker 25	Chappelle-Nadal	Dougherty	Yates
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VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

## **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 63** - Conservation and Natural Resources

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1411** - Special Committee on General Laws  
**HB 1609** - Health Care Policy  
**HB 1646** - Transportation  
**HB 1647** - Elections  
**HB 1648** - Conservation and Natural Resources  
**HB 1658** - Agriculture Policy  
**HB 1649** - Special Committee on Family Services  
**HB 1678** - Special Committee on Veterans  
**HB 1679** - Ways and Means  
**HB 1691** - Special Committee on Health Insurance  
**HB 1703** - Crime Prevention and Public Safety  
**HB 1715** - Special Committee on State Parks and Waterways  
**HB 1723** - Special Committee on Government Affairs  
**HB 1773** - Special Committee on Tax Reform  
**HB 1775** - Crime Prevention and Public Safety  
**HB 1776** - Special Committee on General Laws  
**HB 1782** - Special Committee on General Laws  
**HB 1787** - Special Committee on Workforce Development and Workplace Safety  
**HB 1793** - Health Care Policy  
**HB 1797** - Agriculture Policy  
**HB 1802** - Higher Education  
**HB 1810** - Special Committee on Job Creation and Economic Development  
**HB 1824** - Special Committee on Tourism  
**HB 1832** - Local Government  
**HB 1836** - Special Committee on Job Creation and Economic Development  
**HB 1849** - Local Government  
**HB 1850** - Judiciary  
**HB 1869** - Higher Education  
**HB 1884** - Agriculture Policy  
**HB 1886** - Special Committee on Student Achievement  
**HB 1887** - Transportation  
**HB 1893** - Special Committee on Financial Institutions  
**HB 1923** - Special Committee on General Laws  
**HB 1945** - Special Committee on Family Services  
**HB 1946** - Special Committee on Family Services  
**HB 1951** - Judiciary  
**HB 1972** - Special Committee on Retirement

**HB 1973** - Special Committee on Retirement

**HB 1983** - Judiciary

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 1533** - Transportation

### **COMMITTEE REPORTS**

**Committee on Agriculture Policy**, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

#### **HOUSE CONCURRENT RESOLUTION NO. 4**

WHEREAS, the United States Department of Agriculture's National Agricultural Statistics Service collects and publishes information on the prices and inventories of rice; and

WHEREAS, this information is used for estimations of farm income and determinations of government program payments to farmers; and

WHEREAS, it is essential to the rice industry that the estimations of farm income and determinations of government program payments more accurately reflect the current market prices and stocks of rice:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri House of Representatives, Ninety-Fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby request that the United States Department of Agriculture's National Agricultural Statistics Service add the dates of June 1 and September 1 as additional reporting dates to the "Agricultural Statistics Board" calendar to more accurately reflect prices and stocks; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the United States Secretary of Agriculture, the United States Department of Agriculture's National Agriculture Statistics Service, and to each member of Missouri's Congressional delegation.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1305**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1628**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1670**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1310**, **HB 1311**, and **HB 1320**.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 66**, introduced by Representatives Walton, Lembke, Nasheed, Haywood and Johnson, relating to the judiciary.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2037**, introduced by Representative St. Onge, relating to special license plates.

**HB 2038**, introduced by Representative Hunter, relating to property annexation in fire protection districts.

**HB 2039**, introduced by Representatives Munzlinger, Dougherty, Fisher and Dethrow, relating to the removal of a dog collar.

**HB 2040**, introduced by Representatives Jetton, Kingery, Day, Ruzicka, Wilson (119), Thomson, Whorton, Deeken, Muschany, Cooper (120), Wilson (130), Dougherty, Smith (150), Wallace, Viebrock, Nolte, Threlkeld, Kelly, Pollock, Sater, Munzlinger, St. Onge, Jones (117), May, Dixon, Hunter, Cunningham (86), Stream, Wright, Moore, Richard, Bruns, Hobbs, Faith, Jones (89), Pratt, Scharnhorst, Loehner, Cooper (155), Franz, Wells, Tilley, Grisamore, Fisher, Dethrow, Swinger, Hubbard, Walton, Schneider, Denison, Casey, Norr, Schieffer, Corcoran, Meadows, Brown (50), Wood, Pearce, Cunningham (145), Smith (14) and Weter, relating to educational personnel compensation.

**HB 2041**, introduced by Representative Fisher, relating to the disclosure of confidential unemployment information.

**HB 2042**, introduced by Representatives Hughes, Burnett, Bland, Meiners, Curls, Low (39) and Brown (50), relating to assistance for the homeless.

**HB 2043**, introduced by Representative Cooper (120), relating to the use of licensed gaming revenues.

**HB 2044**, introduced by Representative Baker (25), relating to the designation of the Carl Edwards Drive.

**HB 2045**, introduced by Representative Baker (25), relating to a sales tax for farmland preservation.

**HB 2046**, introduced by Representatives Baker (25), Day, Schneider, Schoemehl, Talboy and Norr, relating to teenage driver safety.

**HB 2047**, introduced by Representatives Curls and Cooper (120), relating to street grading in cities.

**HB 2048**, introduced by Representatives Zimmerman, Schoemehl, St. Onge, May, Scavuzzo, Tilley, Kingery, McGhee, Nolte, Nance, Threlkeld, Funderburk, Dougherty, Bruns, Hobbs, Cunningham (86), Dusenberg, Kuessner, Pearce, Richard, Smith (150), McClanahan, Sutherland, Avery, Wallace, Talboy, Holsman, Oxford, Robb, Grill, Walsh, Harris (110), Grisamore, LeVota, Norr, Schieffer, Darrough, Haywood, Yaeger, Liese and Dixon, relating to college textbooks.

**HB 2049**, introduced by Representatives Skaggs and Talboy, relating to a task force for guidelines for eyewitness evidence in criminal investigations.

**HB 2050**, introduced by Representatives Aull, Corcoran, Holsman, Hodges, McClanahan, Swinger, Witte, Rucker, Skaggs, Oxford, LeVota, Darrough, Baker (25), Wallace and Roorda, relating to state aid for schools.

**HB 2051**, introduced by Representatives Kelly, Moore, Brown (50), Quinn (9), Casey, Robinson and Fisher, relating to the chairman of the board of probation and parole.

**HB 2052**, introduced by Representative El-Amin, relating to hair braiding.

**HB 2053**, introduced by Representatives Jones (117), Munzlinger, Fisher, Wells, Wright, Wilson (119), Jones (89), Wallace, Sater, Ervin, May, Schneider, Wilson (130), Ruestman, Nieves, McGhee and Moore, relating to the use of force in defense of persons.

**HB 2054**, introduced by Representative Jones (117), relating to the power of jailers.

**HB 2055**, introduced by Representative Viebrock, relating to investments by the board of trustees of police and firemen's pension systems.

**HB 2056**, introduced by Representative Viebrock, relating to the investment of funds for the public school and public education employee retirement systems.

**HB 2057**, introduced by Representatives Parson, Rucker, Wilson (119), Schneider, Robb, Jones (117), Schad and Norr, relating to the licensing of home inspectors.

**HB 2058**, introduced by Representatives Pearce, Richard, Hobbs, Bruns, Pollock, Darrough, Corcoran, Hunter, Sutherland, Quinn (7), Brandom, Ervin, Flook, Cooper (120), Jetton, Hubbard, Spreng, Brown (50), Fisher, Scharnhorst, Wilson (130), Wilson (119), Schoeller, Onder, Schlottach, Wallace, Day, Funderburk, Kraus, Grisamore, Pratt, Silvey, Faith, Lembke, Robb, Schad, Icet, Jones (89), Franz, El-Amin, Tilley, Cunningham (86), Nieves, Dixon, Jones (117), May, Parson, Thomson, Smith (150), Nance, Lipke, Loehner, St. Onge, Ruestman, McGhee, Weter, Stream, Ruzicka, Moore, Bivins, Munzlinger, Wasson, Villa, Cunningham (145), Storch, Stevenson, Deeken, Viebrock, Wood, Brown (30), Komo, Meadows, Page, Roorda, Casey, Schneider, Hoskins, Zimmerman, Cooper (155), Threlkeld, Wells, Kelly, Fallert, Meiners, Walton, Vogt, Portwood and Dusenberg, relating to tax incentives for business development.

**HB 2059**, introduced by Representatives Wilson (130), Wilson (119), Munzlinger, Wallace, Moore, Bivins, Jones (89) and Stevenson, relating to professional relationships between teachers and public school districts.

**HB 2060**, introduced by Representatives Deeken and Dougherty, relating to minimum pay for certain corrections employees.

**HB 2061**, introduced by Representatives Holsman, Grill, Harris (110), Hodges, Meiners, Oxford, Daus, McClanahan and Roorda, relating to the recycling of containers.

**HB 2062**, introduced by Representatives Pearce, Witte, Day, Bruns, Fisher, Nance, Grill, Roorda, Aull, Dusenberg, McGhee, Emery, Jones (89), Darrough and Bivins, relating to members of the military and their families.

**HB 2063**, introduced by Representative Walton, relating to liquor control.

**HB 2064**, introduced by Representative Wasson, relating to the state board of pharmacy.

**HB 2065**, introduced by Representative Wasson, relating to the state committee of psychologists.

**HB 2066**, introduced by Representative Wasson, relating to architectural plan review fees for certain health facilities.

**HB 2067**, introduced by Representative Wasson, relating to child care facilities.

**HB 2068**, introduced by Representative Wasson, relating to physical therapists.

**HB 2069**, introduced by Representatives Casey, Scharnhorst, Roorda and Harris (110), relating to a statewide curfew for minors.

**HB 2070**, introduced by Representatives Casey, Frame and Norr, relating to sexual offenders at schools.



**HB 2071**, introduced by Representatives Casey, Frame and Norr, relating to property taxation.

**HB 2072**, introduced by Representative Loehner, relating to watercraft taxes.

**HB 2073**, introduced by Representatives Grisamore, Pratt, Tilley, Moore, Yates, Scharnhorst, Kraus, Wilson (119), Hughes, Sater, Wright, McGhee, Onder, Fisher, Ruestman, Schieffer and Stream, relating to sex offender information.

**HB 2074**, introduced by Representatives Grisamore, Pratt, Tilley, Moore, Yates, Kraus, Grill, Roorda, Hughes, McGhee, Wright, Fisher, Schieffer and Stream, relating to Internet sex crimes investigation grant program.

**HB 2075**, introduced by Representatives Grisamore, Pratt, Tilley, Moore, Yates, Scharnhorst, Portwood, Roorda, Sater, Wright, McGhee, Fisher, Deeken, Stream and Schieffer, relating to the Missouri commission on autism spectrum disorders.

**HB 2076**, introduced by Representatives Grisamore, Portwood, Pratt, Tilley, Moore, Yates, Thomson, Smith (150), Dougherty, Grill, Ruzicka, Roorda, Hughes, Sater, McGhee, Ruestman, Wilson (119), Deeken, Funderburk, Faith, Bruns and Baker (25), relating to the term "mental retardation" as used by the division of mental retardation and developmental disabilities.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Cunningham (86) is no longer a member of the Elections Committee.

Representative Pollock has been appointed a member of the Elections Committee.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, February 11, 2008.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 4.

Department of Agriculture FY09 budget.

#### **APPROPRIATIONS - EDUCATION**

Monday, February 11, 2008, 11:00 a.m. Hearing Room 1.

Presentations from Presidents, Chancellors or administrative staff from Higher Education Institutions.

**APPROPRIATIONS - EDUCATION**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 3.  
Continuation of presentations from Presidents, Chancellors or administrative staff from Higher Education Institutions.

**APPROPRIATIONS - EDUCATION**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 1.  
Committee will work on finalizing their report.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 3.  
Review budgets for the General Assembly and employee benefits.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Monday, February 11, 2008, 12:00 p.m. Hearing Room 6.  
Conclusion of 2009 budget review for the Department of Social Services.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 5.  
2009 funding recommendations and report review.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 5.  
2009 funding recommendations and report review.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 6.  
Public Safety Committee work.  
Performance review; Oversight review; Funding review; core and new decision items.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Monday, February 11, 2008, Hearing Room 3 upon afternoon adjournment.  
Discuss MoDOT budget and recommendations; presentation from DOLIR on 2nd Injury Fund; DOLIR budget and recommendations.  
Executive session may be included.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 3.  
Continue discussion of DOLIR budget and recommendations.  
If necessary discuss DIFP budget and recommendations.  
Executive session may be included.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 7.

Discuss Department of Economic Development budget and recommendations.

Executive session may be included.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1364, HB 1383, HB 1384, HB 1537

ELECTIONS

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1934, HJR 45, HJR 46

FISCAL REVIEW

Monday, February 11, 2008, 3:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1661

JOINT COMMITTEE ON RESTRUCTURING FEES OF THE CLEAN WATER &  
STORM WATER PROGRAMS

Wednesday, February 13, 2008, 9:00 a.m. Hearing Room 2.

Short meeting to take a vote to approve the final Committee Report.

JOINT COMMITTEE ON GAMING AND WAGERING

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.

Briefing/update by the Missouri Gaming Commission.

Election of Committee Chairman.

JUDICIARY

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1308, HB 1359, HB 1360, HB 1552

LOCAL GOVERNMENT

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow hearing.

Public hearings to be held on: HB 1351, HB 1832, HB 1849

RULES - PURSUANT TO RULE 25(21)(f)

Monday, February 11, 2008, Hearing Room 6 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HCS HB 1305, HB 1354, HB 1406, HB 1450,  
HB 1656, HCS HB 1774, HCS HB 1575, HB 1628, HB 1670, HCR 4

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HJR 49, HJR 52

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, February 11, 2008, 12:00 p.m. To be announced.

CANCELLED

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1704

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1340, HB 1773

**TRANSPORTATION**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1532, HB 1533, HB 1353, HB 1420, HB 1422

**HOUSE CALENDAR**

EIGHTEENTH DAY, MONDAY, FEBRUARY 11, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 66

**HOUSE BILLS FOR SECOND READING**

HB 2037 through HB 2076

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/07/08)

- 1 HB 1313 - Wright
- 2 HCS HB 1380 - Sater
- 3 HB 1386 - Cox

**HOUSE BILL FOR THIRD READING**

HB 1661, (Fiscal Review 2-06-08) - LeVota

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1310 - Hoskins
- 2 HB 1311 - Hoskins
- 3 HB 1320 - Brown (50)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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EIGHTEENTH DAY, MONDAY, FEBRUARY 11, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Sovereign Lord, You have made the heavens and the earth by Your great power and outstretched arm. Nothing is too hard for You. Great are Your purposes and mighty are Your deeds. Your eyes are open to all the ways of men; You reward everyone according to their conduct and deeds.

As we begin this week, help us in our quest: not to be eloquent, but effective; not profound, but efficient; not masterful, but a true servant.

As we seek to implement our plans, may it be in concert with Your counsel and Your purposes.

Blessed are You, Lord God, for You have given us rest according to all Your promises. We appreciate Your kindness, goodness and grace.

And it's in the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the seventeenth day was approved as printed by the following vote:

AYES: 122

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Deeken	Denison	Dethrow
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self

Shively	Silvey	Skaggs	Spreng	St. Onge
Storch	Sutherland	Swinger	Thomson	Tilley
Todd	Villa	Wallace	Walsh	Wasson
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Daus	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 032

Avery	Bland	Brown 30	Brown 50	Corcoran
Day	Dixon	Donnelly	El-Amin	Harris 23
Hobbs	Hubbard	Hunter	Meadows	Moore
Muschany	Page	Rucker	Ruestman	Scharnhorst
Smith 14	Smith 150	Stevenson	Stream	Talboy
Threlkeld	Viebrock	Walton	Wells	Wright-Jones
Yates	Young			

VACANCIES: 005

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 487 through House Resolution No. 495

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 66** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2037** through **HB 2076** were read the second time.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1739** - Special Committee on Professional Registration and Licensing  
**HB 1864** - Special Committee on Financial Institutions  
**HB 1911** - Special Committee on Student Achievement

## **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1661** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 4**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1305**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1354**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1406**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1450**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1575**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1628**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1656**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1670**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1774**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2077**, introduced by Representative Tilley, relating to time off from work for spouses of deployed soldiers.



**HB 2078**, introduced by Representatives Hubbard, El-Amin, Munzlinger, Nance, Fisher, Kingery, Robb, Quinn (7), Loehner, Schad, Wallace, McGhee, Franz, Parson, Wells, Moore, Wood, Denison, Jones (117), Wright, Deeken, Hoskins, Jetton, Smith (150) and Wilson (119), relating to driver's licenses.

**HB 2079**, introduced by Representatives Stream, Sutherland, Wood, Ruzicka, Munzlinger, Avery, Scharnhorst, Bruns, Nance, Onder, Nieves, Ervin, Cunningham (86), Thomson, Fisher, Bivins, Lembke, Richard, Muschany, Deeken, Jetton, Faith, Jones (89), Cox, Ruestman, Flook, Meiners, Dusenberg and Schlottach, relating to property taxation.

**HB 2080**, introduced by Representative Hoskins, relating to absentee voting.

### **WITHDRAWAL OF HOUSE BILL**

February 11, 2008

Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives

Adam,

At this time, I would like to request a withdrawal of **House Bill No. 1909**.

Thank you for your consideration,

/s/ David Day  
State Representative  
District 148

The following members' presence was noted: Bland, El-Amin, Hubbard, Moore, Page, Talboy and Yates.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 11:00 a.m., Tuesday, February 12, 2008.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 4.  
Department of Agriculture FY09 budget.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 3.  
Continuation of presentations from Presidents, Chancellors or administrative staff from Higher Education Institutions.

**APPROPRIATIONS - EDUCATION**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 1.  
Committee will work on finalizing their report.

**APPROPRIATIONS - EDUCATION**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 1.  
Committee will continue work on finalizing their report.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 3.  
Review budgets for the General Assembly and employee benefits.

**APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 3.  
Employee benefits if needed.  
Recommendations for Budget Committee.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 5.  
2009 funding recommendations and committee report review.

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 5.  
2009 funding recommendations and committee report review. CANCELLED

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 5.  
2009 funding recommendations and committee report review.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 6.  
Public Safety Committee work. Performance review; Oversight review;  
Funding review; core and new decision items.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 6.  
Department of Corrections. Performance review; Oversight review;  
Funding review core and new decision items.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 12, 2008, 2:00 p.m. Hearing Room 3.  
Continue discussion of DOLIR budget and recommendations.  
If necessary discuss DIFP budget and recommendations.  
Executive session may be included.

APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 7.

Discuss Department of Economic Development budget and recommendations.

Executive session may be included.

CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1364, HB 1383, HB 1384, HB 1537

ELECTIONS

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1934, HJR 45, HJR 46

HEALTH CARE POLICY

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1625

JOINT COMMITTEE ON RESTRUCTURING FEES OF THE CLEAN WATER &  
STORM WATER PROGRAMS

Wednesday, February 13, 2008, 9:00 a.m. Hearing Room 2.

Short meeting to take a vote to approve the final committee report.

JOINT COMMITTEE ON GAMING AND WAGERING

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.

Briefing/update by the Missouri Gaming Commission.

Election of Committee Chairman.

JOINT COMMITTEE ON TAX POLICY

Wednesday, February 13, 2008, 8:00 a.m. Hearing Room 4.

Election of Chairman; tax handbook discussion and tax credit tracking system.

JUDICIARY

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1308, HB 1359, HB 1360, HB 1552

LOCAL GOVERNMENT

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow hearing.

Public hearings to be held on: HB 1351, HB 1832, HB 1849

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, February 13, 2008, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1649

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HJR 49, HJR 52

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 2.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow. AMENDED

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 1756

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, February 13, 2008, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1771, HB 1626

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1704

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 13, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1911

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 13, 2008, 3:00 p.m. House Lounge.

Executive session may follow

Public hearing to be held on: HB 1886

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, February 12, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1340, HB 1773

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1824, HB 1416

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 5.

Executive session.

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, February 12, 2008, 12:30 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1562, HB 1678

**TRANSPORTATION**

Tuesday, February 12, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1532, HB 1533, HB 1353, HB 1420, HB 1422

**HOUSE CALENDAR**

NINETEENTH DAY, TUESDAY, FEBRUARY 12, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2077 through HB 2080

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/07/08)

- 1 HB 1313 - Wright
- 2 HCS HB 1380 - Sater
- 3 HB 1386 - Cox

(2/12/08)

- 1 HCS HB 1305 - Day
- 2 HB 1354 - Wilson (119)
- 3 HB 1406 - Deeken
- 4 HB 1450 - Roorda
- 5 HCS HB 1575 - Jones (117)
- 6 HB 1628 - Cooper (120)
- 7 HB 1656 - Nance
- 8 HB 1670 - Cooper (120)
- 9 HCS HB 1774 - Wallace

**HOUSE BILL FOR THIRD READING**

HB 1661 - LeVota

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1      HB 1310 - Hoskins
- 2      HB 1311 - Hoskins
- 3      HB 1320 - Brown (50)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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NINETEENTH DAY, TUESDAY, FEBRUARY 12, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

*(Today is Abraham Lincoln's birthday. One of his prayers will be our prayer this morning.)*

God bless our native land;  
Firm may she ever stand  
Through storm and night;  
When the wild tempests rave,  
O Ruler of wind and wave,  
Thou Who art strong to save,  
Be Thou her might!

For her prayer shall be,  
Our father's God, to Thee,  
On Whom we wait;  
Be her walls holiness -  
Her rulers righteousness,  
In all her homes be peace,  
God save the State!

Not for this land alone,  
But be God's mercies shown  
From shore to shore  
And may the nations see  
That men should brothers be,  
And form one family  
The wide-world o'er.

(Amen)

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Rebekkah Richardson, Joshua Perry, Mitchell Davis, Cody Knodell, Derek Spencer, Zack Stricker, Ethan Campbell, Jonathan Dunham, Aaron Henderson, Nathan Smith, Kyle York, Megan Richardson and Jonathan Breed.

The Journal of the eighteenth day was approved as printed.

**SPECIAL RECOGNITION**

The Harrisonville High School Wildcats Football Team was introduced by Representative Scavuzzo and recognized for attaining the Class 3 State Football Championship.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 491 through House Resolution No. 523

**HOUSE CONCURRENT RESOLUTION**

Representative El-Amin, et al., offered House Concurrent Resolution No. 22.

**SECOND READING OF HOUSE BILLS**

**HB 2077** through **HB 2080** were read the second time.

**THIRD READING OF HOUSE BILL**

**HB 1661**, relating to nonresident taxable income, was taken up by Representative LeVota.

On motion of Representative LeVota, **HB 1661** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hodges	Holsman	Hoskins	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robinson	Roorda
Rucker	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Vogt	Wallace	Walsh



Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 012

Baker 123	Dixon	Harris 23	Haywood	Hobbs
Hubbard	Robb	Ruestman	Stream	Viebrock
Wright-Jones	Young			

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

### REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1335** - Judiciary  
**HB 1500** - Transportation  
**HB 1510** - Special Committee on Energy and the Environment  
**HB 1617** - Special Committee on Financial Institutions  
**HB 1706** - Special Committee on Student Achievement  
**HB 1707** - Special Committee on Student Achievement  
**HB 1876** - Elementary and Secondary Education  
**HB 1877** - Elementary and Secondary Education  
**HB 1890** - Health Care Policy  
**HB 1904** - Special Committee on Government Affairs  
**HB 1936** - Local Government  
**HB 1937** - Transportation  
**HB 2048** - Higher Education  
**HB 2055** - Special Committee on Retirement  
**HB 2056** - Special Committee on Retirement  
**HB 2065** - Special Committee on Professional Registration and Licensing  
**HB 2066** - Special Committee on Professional Registration and Licensing  
**HB 2067** - Special Committee on Professional Registration and Licensing

### COMMITTEE REPORT

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1309**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### INTRODUCTION OF HOUSE CONCURRENT RESOLUTION

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 23**, introduced by Representatives Dixon, Moore, Brown (30), Dusenberg, Sater, Scharnhorst, Stream, Bivins, Nieves, McGhee and Fisher, relating to the observance of Ronald Reagan Day in Missouri.

### INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 67**, introduced by Representatives Davis, Ervin, Funderburk and Faith, relating to the distribution of general revenue funds to the various transportation funds.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2081**, introduced by Representative Dougherty, relating to the state board of embalmers and funeral directors.

**HB 2082**, introduced by Representative Dougherty, relating to the regulation of barber and cosmetology licensing by the Missouri board of cosmetology and barber examiners.

**HB 2083**, introduced by Representatives Young, Schieffer, Sater and Villa, relating to the use of respectful language in reference to persons with disabilities.

**HB 2084**, introduced by Representative Skaggs, relating to a surcharge in criminal cases.

**HB 2085**, introduced by Representatives Skaggs, LeVota, Burnett, Low (39) and Hughes, relating to elections.

**HB 2086**, introduced by Representatives Zimmerman, LeVota, Talboy, Holsman, Low (39), Shively, Grill, Oxford, Storch, Darrough, Harris (110) and Schoemehl, relating to lobbying.

**HB 2087**, introduced by Representatives Zimmerman, Zweifel, George, Fallert, Roorda, Schoemehl, Darrough, LeVota, Skaggs, Witte, Swinger, Hughes, Talboy, Page, Norr, Lampe, Meiners, Hubbard, Muschany, Grill, Oxford, Daus, Schieffer, Harris (110), Villa, Nasheed, Low (39) and Yaeger, relating to absentee voting.

**HB 2088**, introduced by Representatives Zimmerman, George, Fallert, Roorda, Schoemehl, Darrough, LeVota, Talboy, Skaggs, Witte, Swinger, Hughes, Page, Norr, Lampe, Meiners, Hubbard, Oxford, Schieffer, Harris (110), Low (39) and Yaeger, relating to absentee voting.

**HB 2089**, introduced by Representatives Zimmerman, Oxford, Daus, Harris (110), LeVota, Norr and Yaeger, relating to instant runoff voting.

**HB 2090**, introduced by Representatives Oxford, Low (39), Shively, Harris (110), Brown (50), Schoemehl, Talboy, Lampe, Norr, Nasheed, McClanahan and Lowe (44), relating to driver's license photographs or digital images.

**HB 2091**, introduced by Representatives Davis, Sater and Funderburk, relating to the official dating standard.

**HB 2092**, introduced by Representatives Burnett, Skaggs, LeVota, Low (39), Hughes, Lowe (44), Vogt, Witte, Corcoran, Darrough, Casey, Holsman, Talboy, Bland, Grill, Walsh, Bringer and Baker (25), relating to limited liability companies.

**HB 2093**, introduced by Representatives Burnett, Skaggs, Hughes and Vogt, relating to the sale of vehicles for salvage, dismantling, or rebuilding.

**HB 2094**, introduced by Representative Hunter, relating to labor organizations.

**HB 2095**, introduced by Representatives Cox, Onder, Wood, Ervin, Bivins, Nieves, Sater and Funderburk, relating to sexual misconduct involving a child.

**HB 2096**, introduced by Representative Cox, relating to consumer credit protection.

**HB 2097**, introduced by Representative Cox, relating to stealing.

**HB 2098**, introduced by Representative Cooper (155), relating to the licensing of tanning facilities.

**HB 2099**, introduced by Representative Cooper (155), relating to the sale of real estate of protectees.

**HB 2100**, introduced by Representatives Cooper (155) and Avery, relating to health insurance coverage for prosthetic devices.

**HB 2101**, introduced by Representative Yates, relating to election of school board members in certain urban districts.

**HB 2102**, introduced by Representative Yates, relating to general assembly members salaries.

**HB 2103**, introduced by Representative Yates, relating to taxation of health and fitness memberships and equipment.

**HB 2104**, introduced by Representative Viebrock, relating to the public school and public education employee retirement systems of Missouri.

**HB 2105**, introduced by Representatives Cooper (155), Stevenson, Hunter and Cooper (120), relating to the uniform adult guardianship and protective proceedings jurisdiction act.

**HB 2106**, introduced by Representatives Cooper (155) and Stevenson, relating to anatomical gifts.

**HB 2107**, introduced by Representatives Day, Casey, Wright, Meadows, Stream, Dougherty, Denison, Roorda, Nieves, Ruestman, Darrough, Bivins, Hughes, Grisamore, Rucker, Fisher, Flook, Avery, Pollock, Funderburk, Kelly, Norr, Wilson (130), Sander, Schieffer, Moore, Salva and Dusenberg, relating to the disposal of unclaimed veterans' remains.

**HB 2108**, introduced by Representative Avery, relating to the distribution of local sales taxes.

**HB 2109**, introduced by Representatives Dixon, Stream, Bivins and Schoeller, relating to school district participation in the Baldrige continuous quality improvement program.

**HB 2110**, introduced by Representatives Dixon, Moore, Sander, Brown (30), Sater, Stream, Bivins, Nieves, McGhee, Fisher, Emery, Ruestman and Parson, relating to display of documents with religious content.

The following members' presence was noted: Baker (123), Dixon, Hubbard, Ruestman, Viebrock and Wright-Jones.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, February 13, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1658, HB 1797

### **APPROPRIATIONS - AGRICULTURE AND NATURAL RESOURCES**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 5.

Department of Agriculture and Department of Conservation.

### **APPROPRIATIONS - EDUCATION**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 1.

Committee will continue work on finalizing their report.

### **APPROPRIATIONS - GENERAL ADMINISTRATION**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 3.

Employee benefits if needed.

Recommendations for Budget Committee.

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 5.

2009 funding recommendations and committee report review. CANCELLED

**APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 5.

2009 funding recommendations and committee report review.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 6.

Department of Corrections. Performance review; Oversight review;

Funding review core and new decision items.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 13, 2008, 2:00 p.m. Hearing Room 7.

Discuss Department of Economic Development budget and recommendations.

Executive session may be included.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 7.

Discuss budget recommendations for committee report.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 13, 2008, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1722

**JOINT COMMITTEE ON RESTRUCTURING FEES OF THE CLEAN WATER & STORM WATER PROGRAMS**

Wednesday, February 13, 2008, 9:00 a.m. Hearing Room 2.

Short meeting to take a vote to approve the final committee report.

**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.

Briefing/update by the Missouri Gaming Commission.

Election of Committee Chairman.

**JOINT COMMITTEE ON TAX POLICY**

Wednesday, February 13, 2008, 8:00 a.m. Hearing Room 4.

Election of Chairman; tax handbook discussion and tax credit tracking system.

**LOCAL GOVERNMENT**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow hearing.

Public hearings to be held on: HB 1351, HB 1832, HB 1849

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, February 13, 2008, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1649

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, February 13, 2008, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1342, HB 1385, HB 1474, HB 1618, HB 1864, HB 1893

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 6.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1857

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 2.

Executive session may follow.

Public hearing to be held on: HB 1756

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, February 13, 2008, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1771, HB 1626

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1669, HB 1972, HB 1973

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, February 14, 2008, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1715

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 13, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1911

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 13, 2008, 3:00 p.m. House Lounge.

Executive session may follow.

Public hearing to be held on: HB 1886

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1824, HB 1416

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 5.

Executive session.

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 13, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1787

**HOUSE CALENDAR**

TWENTIETH DAY, WEDNESDAY, FEBRUARY 13, 2008

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 23

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 67

**HOUSE BILLS FOR SECOND READING**

HB 2081 through HB 2110

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 55 - McGhee

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/07/08)

- 1 HB 1313 - Wright
- 2 HCS HB 1380 - Sater
- 3 HB 1386 - Cox

(2/12/08)

- 1 HCS HB 1305 - Day
- 2 HB 1354 - Wilson (119)
- 3 HB 1406 - Deeken
- 4 HB 1450 - Roorda
- 5 HCS HB 1575 - Jones (117)
- 6 HB 1628 - Cooper (120)
- 7 HB 1656 - Nance

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8        HB 1670 - Cooper (120)

9        HCS HB 1774 - Wallace

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

1        HB 1310 - Hoskins

2        HB 1311 - Hoskins

3        HB 1320 - Brown (50)

#### **HOUSE CONCURRENT RESOLUTION**

HCR 4, (2-07-08, Page 204) - Wright



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTIETH DAY, WEDNESDAY, FEBRUARY 13, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are a God of knowledge and by Your actions are weighed. For all the earth is Yours and You have set the world in order. No one will succeed by strength alone. It is You who give authority to legislate; You increase the strength of Your people.

As we begin this day, may our minds soar far beyond our own personal pursuits and aspirations and reach out to the larger issues at hand.

So as we stand here in this great house of government, we are determined to walk in Your counsel and meditate on Your wisdom throughout this day and the remainder of this week.

Now may You, Lord God, who by Your love and grace give us eternal encouragement and good hope, encourage our hearts and strengthen us in every good deed and word.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lane White, Ara Spielman and Meagan Spielman.

Representative Richard assumed the Chair.

The Journal of the nineteenth day was approved as printed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus

Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 004

Darrough	George	Lowe 44	Skaggs
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ABSENT WITH LEAVE: 012

Bland	Curls	Fisher	Harris 23	Haywood
Hobbs	Hunter	Roorda	Stream	Wasson
Wright-Jones	Young			

VACANCIES: 005

## SPECIAL RECOGNITION

The Stockton High School Girls Volleyball Team was introduced by Representative Parson and recognized for attaining the Class 2 State Championship.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 524 through House Resolution No. 649

## HOUSE CONCURRENT RESOLUTION

Representative Roorda, et al., offered House Concurrent Resolution No. 24.

## SECOND READING OF HOUSE CONCURRENT RESOLUTION

**HCR 23** was read the second time.

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 67** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 2081** through **HB 2110** were read the second time.

## **COMMITTEE REPORTS**

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1619**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1314**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Agri-business**, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1570**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1572**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1649**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1595** and **HB 1668**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1763**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1806**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Homeland Security**, Chairman Dusenberg reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 1393**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 1371**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1911**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tourism**, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 1416**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 1824**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 1779**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1678**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1423**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2111**, introduced by Representatives Muschany and Cunningham (86), relating to charter schools.

**HB 2112**, introduced by Representatives Emery, Robb, Smith (14), Davis, Bivins, Wilson (119), Jones (89), Wells, Nieves, Sater, Meiners, Fisher, May, Schoeller, Yates and Sander, relating to the Fair Tax Act of 2008.

**HB 2113**, introduced by Representatives Storch and Johnson, relating to physical assessment of certain police officers.

**HB 2114**, introduced by Representatives Zimmerman, Chappelle-Nadal, LeVota, Low (39), Lowe (44), Walsh, Frame, Casey, Komo, Walton, Nasheed, Kuessner, Burnett, Scavuzzo, Shively, Rucker, Wildberger, Robinson, Schieffer, Talboy, Hughes, Tilley, Weter, Pratt, Schlottach, Cunningham (86), Jetton, Fisher, Wilson (119), Wallace, Ervin, Munzlinger, Pollock, Moore, McGhee, Faith, Portwood, Schoeller, Baker (123), Guest, Sutherland and Jones (89), relating to ballots.

**HB 2115**, introduced by Representatives Salva, Wildberger and Dougherty, relating to transient guest taxes for tourism.

**HB 2116**, introduced by Representatives Portwood, Spreng, Zweifel, Faith, Smith (14), Schneider, Davis, Silvey, Lembke, St. Onge, Avery, Grill, Nolte, Todd, Swinger, Meadows, George, Deeken, Parson, Franz, Aull and Scharnhorst, relating to chiropractic care.

**HB 2117**, introduced by Representatives El-Amin, Hubbard, Nasheed, Oxford, Hoskins, Brown (50), Hughes and Wright-Jones, relating to the St. Louis police force.

**HB 2118**, introduced by Representatives Yaeger, Franz, Oxford, Low (39), Curls, McGhee, Flook, Donnelly, Sander, Schoemehl and Cooper (155), relating to appointment of a parenting coordinator.

**HB 2119**, introduced by Representatives Roorda, Bruns, Darrough, Meadows, Harris (110), Nasheed, Casey, Brown (50) and Ruzicka, relating to involuntary manslaughter in the first degree.

**HB 2120**, introduced by Representatives Roorda, Schieffer, Sander and Moore, relating to schedule II controlled substances.

**HB 2121**, introduced by Representatives Roorda and Frame, relating to days off for school districts.

**HB 2122**, introduced by Representatives Roorda, Bruns, Threlkeld, Stream, George, Meadows, Casey, Page and Frame, relating to the Shawn Hornbeck Educational Reimbursement Program.

**HB 2123**, introduced by Representative Aull, relating to relocation of a child.

**HB 2124**, introduced by Representatives Aull, Wallace, Baker (25), Lampe, Scavuzzo, Brown (50), Denison, Swinger, Zweifel, Robinson, Dougherty, Witte, Hodges, Holsman, George, Johnson, Rucker and LeVota, relating to school violence prevention.

**HB 2125**, introduced by Representatives Schad, Emery, Dougherty, Ruestman and Munzlinger, relating to environmental permits.

**HB 2126**, introduced by Representatives Holsman and Meiners, relating to the imposition of a transient guest tax by certain cities.

**HB 2127**, introduced by Representative Nasheed, relating to charter schools.

**HB 2128**, introduced by Representatives Baker (25), Hughes, Wildberger, LeVota, Burnett, Low (39), Shively, Yaeger, Darrough, George, Spreng, Talboy, Scavuzzo, Komo, Frame, Walsh, Salva, Donnelly, Skaggs, Schieffer, Wright-Jones, Lampe, Curls, Meiners, Nasheed, Lowe (44), Zweifel, Kuessner, Meadows, Hodges, Oxford, McClanahan, Page, Haywood, Norr, Aull, Vogt and Schoemehl, relating to health policy and oversight.

**HB 2129**, introduced by Representatives Baker (123), Ervin, Flook, Wasson and Scavuzzo, relating to the Missouri small business regulatory fairness board.

**HB 2130**, introduced by Representatives Talboy, Skaggs, LeVota, Hughes, Nasheed, Holsman, Johnson, Low (39), Dougherty, Darrough, Baker (25), Burnett, Donnelly, Curls, Schieffer and Meiners, relating to unauthorized disclosure of medical information.

**HB 2131**, introduced by Representatives Oxford, George, Low (39), Hubbard, Talboy, Daus, Haywood, Vogt, Lowe (44), Nasheed, Chappelle-Nadal, Brown (50), Villa, Bland, Curls, Walsh, El-Amin, Hughes, Hoskins and Wright-Jones, relating to individual income tax.

**HB 2132**, introduced by Representatives Smith (150) and Bringer, relating to confidential juvenile records.

**HB 2133**, introduced by Representatives Pollock, Schad, Jones (117) and Cooper (155), relating to the twenty-sixth judicial circuit.

**HB 2134**, introduced by Representatives Zweifel, Talboy, Page, Walsh, Yaeger, Baker (25), Burnett, Wildberger, LeVota, Robinson, Spreng, Whorton, Schieffer, Low (39), Darrough and Zimmerman, relating to mortgage brokers.

## WITHDRAWAL OF HOUSE BILL

February 12, 2008

Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Chief Clerk:

I respectfully request that **House Bill No. 1846** that I sponsored be withdrawn.

Thank you for your consideration.

Sincerely,

/s/ Beth Low  
District 39

The following members' presence was noted: Bland, Curls, Fisher, Haywood, Hobbs, Hunter, Wright-Jones.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, February 14, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

I, State Representative Jeff Roorda, District 102, hereby state and affirm that my vote as recorded on the motion to approve the Journal of the House for Tuesday, February 12, 2008 as recorded in the House Journal for February 13, 2008 showing that I voted absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote at that time, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of February 2008.

/s/ Jeff Roorda  
State Representative

State of Missouri       )  
                                  ) ss.  
County of Cole         )

Subscribed and sworn to before me this 13th day of February in the year 2008.

/s/ Carrie Young  
Notary Public

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1658, HB 1797

### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 5.

2009 funding recommendations and committee report review.

### **APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 7.

Discuss budget recommendations for committee report.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, February 19, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1348, HB 1410, HB 1775

### **HIGHER EDUCATION**

Tuesday, February 19, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1869, HB 1802



**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.

Briefing/update by the Missouri Gaming Commission.

Election of Committee Chairman.

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, February 19, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1440, HB 1723, HB 1904

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, February 14, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1669, HB 1972, HB 1973

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, February 14, 2008, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1715

**HOUSE CALENDAR**

TWENTY-FIRST DAY, THURSDAY, FEBRUARY 14, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2111 through HB 2134

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 55 - McGhee

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/07/08)

- 1 HB 1313 - Wright
- 2 HCS HB 1380 - Sater
- 3 HB 1386 - Cox

(2/12/08)

- 1 HCS HB 1305 - Day
- 2 HB 1354 - Wilson (119)
- 3 HB 1406 - Deeken
- 4 HB 1450 - Roorda
- 5 HCS HB 1575 - Jones (117)

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- 6 HB 1628 - Cooper (120)
- 7 HB 1656 - Nance
- 8 HB 1670 - Cooper (120)
- 9 HCS HB 1774 - Wallace

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1310 - Hoskins
- 2 HB 1311 - Hoskins
- 3 HB 1320 - Brown (50)

#### **HOUSE CONCURRENT RESOLUTION**

HCR 4, (2-07-08, Page 204) - Wright

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-FIRST DAY, THURSDAY, FEBRUARY 14, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, You are the source of love. We praise You for the love that makes all the difference in our lives, the love we receive from spouse and family and true friends.

We ask that Your Spirit of love stir up in us the

...love that sings praise for the beauty of the earth,  
...love that longs for peace among all mankind,  
...love that sees the worth of each human being,  
...love that leads us to new vision and growth,  
...love that gives power to our voice,  
...love that brings forth our best work today.

God of love, we thank You for those who are our true Valentines. We ask Your blessing upon them today. We pray that You take us safely home to them at day's end. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twentieth day was approved as corrected by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard

Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 005

Daus	Donnelly	Lowe 44	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 006

Avery	Harris 23	Kraus	Muschany	Roorda
Young				

VACANCIES: 005

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 650 through House Resolution No. 670

## SECOND READING OF HOUSE BILLS

**HB 2111** through **HB 2134** were read the second time.

## PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 55**, relating to religious freedom in public places, was taken up by Representative McGhee.

Representative Skaggs offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 55, Page 1, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"That at the next primary election to be held in the state of Missouri, on Tuesday next following the first Monday in August, 2008, there is hereby submitted to the qualified voters of this state, for"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

NOES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Dougherty	Flook	Harris 23	Kraus
Marsh	Roorda	Young		

VACANCIES: 005

Representative Hughes offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Joint Resolution No. 55, Page 1, Section 5, Line 6, by inserting after the word "God" on said line, the words ", the Saints, or the Virgin Mary".

Representative Hughes moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Aull	Bland	Burnett	Curls	Dougherty
El-Amin	Flook	George	Grill	Haywood
Holsman	Hubbard	Hughes	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Nasheed	Norr	Oxford	Page
Quinn 9	Rucker	Scavuzzo	Schieffer	Shively
Skaggs	Spreng	Talboy	Todd	Villa
Walton	Wildberger	Wright-Jones		

NOES: 111

Baker 25	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Lembke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Schoemehl
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Donnelly	Harris 23	Johnson	Kraus
Lipke	Marsh	Roorda	Young	

VACANCIES: 005

**HCS HJR 55** was laid over.

## **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 6** - Special Committee on Veterans
- HCR 8** - Special Committee on Tourism
- HCR 10** - Transportation
- HCR 11** - Special Committee on Tax Reform
- HCR 13** - Elementary and Secondary Education
- HCR 14** - Special Committee on General Laws
- HCR 15** - Transportation
- HCR 16** - Special Committee on Tax Reform
- HCR 17** - Judiciary
- HCR 18** - Transportation
- HCR 19** - Special Committee on Family Services
- HCR 21** - Special Committee on Senior Citizen Advocacy
- HCR 22** - Special Committee on Urban Issues
- HCR 23** - Special Committee on Tourism
- HCR 24** - Special Committee on Veterans

## **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 47** - Ways and Means
- HJR 50** - Transportation
- HJR 54** - Elections
- HJR 56** - Special Committee on General Laws
- HJR 58** - Elections
- HJR 60** - Elementary and Secondary Education
- HJR 61** - Judiciary
- HJR 62** - Judiciary
- HJR 64** - Ways and Means
- HJR 65** - Ways and Means
- HJR 66** - Special Committee on General Laws
- HJR 67** - Transportation

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

- HB 1431** - Local Government
- HB 1580** - Crime Prevention and Public Safety
- HB 1585** - Special Committee on Rural Community Development
- HB 1588** - Special Committee on Professional Registration and Licensing
- HB 1590** - Special Committee on Agri-business
- HB 1610** - Special Committee on State Parks and Waterways

**HB 1671** - Special Committee on Health Insurance  
**HB 1674** - Elections  
**HB 1716** - Transportation  
**HB 1717** - Transportation  
**HB 1725** - Judiciary  
**HB 1762** - Higher Education  
**HB 1777** - Crime Prevention and Public Safety  
**HB 1778** - Judiciary  
**HB 1792** - Special Committee on Professional Registration and Licensing  
**HB 1805** - Special Committee on Healthcare Transformation  
**HB 1811** - Special Committee on Workforce Development and Workplace Safety  
**HB 1880** - Special Committee on Healthcare Transformation  
**HB 1888** - Local Government  
**HB 1901** - Special Committee on Agri-business  
**HB 1912** - Higher Education  
**HB 1919** - Special Committee on Urban Issues  
**HB 1929** - Special Committee on General Laws  
**HB 1938** - Special Committee on Student Achievement  
**HB 1942** - Special Committee on Utilities  
**HB 1963** - Special Committee on Utilities  
**HB 1977** - Transportation  
**HB 1981** - Special Committee on Job Creation and Economic Development  
**HB 1989** - Special Committee on Family Services  
**HB 1990** - Special Committee on Health Insurance  
**HB 1991** - Judiciary  
**HB 1995** - Local Government  
**HB 2027** - Local Government  
**HB 2037** - Transportation  
**HB 2041** - Special Committee on Workforce Development and Workplace Safety  
**HB 2058** - Special Committee on Job Creation and Economic Development  
**HB 2078** - Special Committee on Urban Education Reform  
**HB 2079** - Ways and Means  
**HB 2094** - Special Committee on Workforce Development and Workplace Safety  
**HB 2117** - Special Committee on Urban Education Reform

## **COMMITTEE REPORTS**

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1711**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1332**, begs leave to report it has examined the same and recommends that the **House**



**Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1857**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 1463**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Retirement**, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1490**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1574**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1972**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1973**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1313**, **HCS HB 1380**, and **HB 1386**.

### **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 68**, introduced by Representatives Bivins, Dusenberg, Sater, Nieves, Dougherty and Lembke, relating to limitations on property tax revenue.

**HJR 69**, introduced by Representative Bivins, relating to storm water control assistance.

**HJR 70**, introduced by Representatives Icet, Day, Portwood, Ervin, Funderburk, Schaaf, Dusenberg, Sater, Smith (14), Ruestman, Sander, Moore, Parson, Pratt and Onder, relating to the commonsense obligation to provide accountability and spending stabilization act.

### **INTRODUCTION OF HOUSE BILL - APPROPRIATIONS**

The following House Bill was read the first time and copies ordered printed:

**HB 2014**, introduced by Representative Icet, to appropriate money for supplemental purposes for the several departments and offices of state government, and for purchase of equipment, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2135**, introduced by Representative Bivins, relating to storm water control assistance.

**HB 2136**, introduced by Representatives Dixon, Moore, Scharnhorst, Grill, Stream, Ruestman and Bivins, relating to a tax credit for donations to public school foundations.

**HB 2137**, introduced by Representatives Yates and Pratt, relating to limitations of asbestos liabilities.

**HB 2138**, introduced by Representatives Guest, Nance, Jones (117), Parson, Deeken, Wallace, Kingery, Sander, Funderburk and Wells, relating to business transactions.

**HB 2139**, introduced by Representative Guest, relating to the professional licensing of clinical laboratory science personnel.

**HB 2140**, introduced by Representatives Guest, Nance, Deeken, Wallace, Sander, Funderburk, Wells and Ruestman, relating to property taxation.

**HB 2141**, introduced by Representative Dougherty, relating to liquor licenses.

**HB 2142**, introduced by Representatives Schad, Sander and Franz, relating to termination of child support.

**HB 2143**, introduced by Representatives Schad, Sander, Moore and Ruestman, relating to child abuse and neglect.

**HB 2144**, introduced by Representatives Whorton, Jetton, Harris (110), Deeken, Roorda, Wallace, Oxford, Fisher, Hodges, Nance, Aull, Munzlinger, Dougherty, Sander, Villa, Weter, Yaeger, Dusenberg, Wildberger, Wilson (119) and Wood, relating to supplemental food stamp assistance.

**HB 2145**, introduced by Representatives Zimmerman, LeVota, Holsman, George, Daus, Portwood, Yates, Nance, Grill, Roorda, Whorton, Norr, Cunningham (86), Schneider, Donnelly, Kraus, Darrough, Oxford, Meiners and Schieffer, relating to telemarketing.

**HB 2146**, introduced by Representatives Wilson (119), Wallace, Munzlinger, Fisher, Quinn (7), Thomson, Smith (150), Franz, Parson, Jones (117), Darrough and Self, relating to noise ordinances.

**HB 2147**, introduced by Representatives Skaggs, Lampe, Burnett, Baker (25), Walsh, Hughes and Frame, relating to utilicare.

**HB 2148**, introduced by Representatives Emery, Darrough, Ruestman and Hunter, relating to the elevator safety board.

**HB 2149**, introduced by Representatives Smith (14) and Tilley, relating to the regulation of swimming pools.

**HB 2150**, introduced by Representative Baker (123), relating to sales taxes for public safety purposes.

**HB 2151**, introduced by Representatives Guest, McGhee, Sander, Deeken, Onder, Davis, Thomson, Wallace, Funderburk, Wells and Ruestman, relating to the Missouri immigration act.

**HB 2152**, introduced by Representatives Nasheed, Casey, Roorda, Silvey, Villa, Burnett, Zimmerman, Schieffer, Harris (110), Walsh, Meiners, Storch, Low (39), Wildberger, Schoemehl, Oxford, Quinn (9), Baker (25), McGhee, Brown (50), Scharnhorst, Fallert, Curls, Walton and Zweifel, relating to academic accountability.

**HB 2153**, introduced by Representatives Silvey, Skaggs, Nolte, Nance, Lembke, Ervin, Quinn (7), Deeken, Tilley and Flook, relating to drinking establishments.

**HB 2154**, introduced by Representatives Harris (23), LeVota, Talboy, Corcoran, Fallert, Baker (25), Zimmerman, George, Day, Low (39), Oxford, Hodges, Schieffer, Page, Schneider, Wood, Schoemehl, Meadows, Wright-Jones, Aull, Casey, Harris (110), Scavuzzo, Roorda, Kraus, Meiners, Darrough, Norr, Wildberger, Daus, Yates, Threlkeld, Donnelly and Burnett, relating to the telemarketing no-call list.

**HB 2155**, introduced by Representatives Harris (23), Roorda, Oxford, Baker (25), Darrough, Wildberger and Harris (110), relating to utilities.

**HB 2156**, introduced by Representatives Grill, Jetton, LeVota, Kuessner, Hodges, Schieffer, Talboy, Roorda, Hubbard, Burnett, Hughes, Schoemehl, Scavuzzo, Ruzicka, Smith (150), Schoeller, Holsman, Page, Tilley, Grisamore, Meiners, Aull, Skaggs, George, Norr, Fallert, Shively, Meadows, Jones (89), Smith (14), Pearce, Komo, Schneider, Funderburk and Onder, relating to a tax credit for stay-at-home parents.

**HB 2157**, introduced by Representatives Grill, Talboy, Hodges, Darrough, Schneider, Schieffer, Holsman, Yaeger and Meiners, relating to identity theft.

**HB 2158**, introduced by Representatives Grill, Schoemehl, Talboy, McClanahan, Storch, Schieffer, Yaeger, Holsman, Meiners and Schneider, relating to early childhood education.

**HB 2159**, introduced by Representatives Grill, Talboy, McClanahan, Schieffer, Yaeger, Holsman, Meiners and Schneider, relating to the Missouri diploma and transcript act.

**HB 2160**, introduced by Representatives Grill, Talboy, Schieffer, Holsman and Meiners, relating to ballots.

**HB 2161**, introduced by Representatives Grill, Donnelly, Darrough, Schieffer, Yaeger, Holsman and Meiners, relating to identity theft protection.

**HB 2162**, introduced by Representatives Grill, Talboy, Darrough, Schneider, Schieffer and Meiners, relating to consumer notification of security breaches.

**HB 2163**, introduced by Representatives Grill, Talboy, Darrough, Schneider, Schieffer and Meiners, relating to the prevention of identity theft.

**HB 2164**, introduced by Representatives Grill, Schieffer and Meiners, relating to certain retirement amounts subtracted from Missouri adjusted gross income.

**HB 2165**, introduced by Representatives Grill, Talboy, Schieffer and Meiners, relating to the Missouri homestead preservation act.

**HB 2166**, introduced by Representatives Grill, Talboy, Moore, Schieffer and Meiners, relating to the fairness for Missouri business act.

**HB 2167**, introduced by Representatives Grill, Schieffer and Meiners, relating to a tax credit for purchasing Missouri-grown food products.

**HB 2168**, introduced by Representatives Grill, McClanahan, Oxford, Moore, Schieffer and Meiners, relating to prohibiting the sale of tobacco to minors.

**HB 2169**, introduced by Representatives Grill, Talboy, Schieffer and Meiners, relating to license plates.

**HB 2170**, introduced by Representatives Grill, Talboy, Oxford, Schieffer and Meiners, relating to motor vehicle windshield stickers.

**HB 2171**, introduced by Representatives Jones (117), Kingery, Pearce, Franz, McClanahan, Swinger, Harris (23), Fisher, Robinson, Baker (123), Wright, Sater, Nance, Day, Faith, Roorda, Funderburk, Weter, Deeken, Wilson (119), Schneider, Kelly, Parson, McGhee, Munzlinger, Sander, Oxford and Nieves, relating to deputy sheriffs' salaries.

**HB 2172**, introduced by Representatives Deeken and Schieffer, relating to railroad crossing safety.

**HB 2173**, introduced by Representatives Faith, Jones (117), Ruzicka and Cox, relating to security freezes.

**HB 2174**, introduced by Representatives Quinn (7), Pearce, Jetton, Sander, Thomson, Richard, Hobbs, Fares, Viebrock, Hunter, Munzlinger, Moore and Ruestman, relating to large animal veterinary students.

**HB 2175**, introduced by Representatives Zweifel, Talboy, Page, Walsh, Yaeger, Baker (25), Burnett, Wildberger, LeVota, Robinson, Spreng, Whorton, Schieffer, Low (39), Darrough and Zimmerman, relating to mortgage brokers.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, February 18, 2008.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Twentieth Day, Wednesday, February 13, 2008, Page 238, Line 35, by inserting after the name "Hunter", the name "Wasson".

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - EDUCATION**

Monday, February 18, 2008, 11:00 a.m. Hearing Room 1.  
Committee will continue work on its report.

#### **APPROPRIATIONS - EDUCATION**

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 3.  
Committee will continue work on its report.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 5.  
MO HealthNet participation case management discussion with the Department of Social Services.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 20, 2008, 2:00 p.m. Hearing Room 5.  
Committee recommendations 2009 budget for the Department of Health and Senior Services, Department of Mental Health, and Department of Social Services.

#### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 6.  
Public Safety Committee work: Developing recommendations to the Budget Committee.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 3.

Discuss draft of committee report.

Executive session may follow.

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, February 19, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1348, HB 1410, HB 1775

**ELECTIONS**

Tuesday, February 19, 2008, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1647

**HIGHER EDUCATION**

Tuesday, February 19, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1869, HB 1802

**JOINT COMMITTEE ON GAMING AND WAGERING**

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.

Briefing/update by the Missouri Gaming Commission.

Election of Committee Chairman.

**JUDICIARY**

Tuesday, February 19, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1850, HB 1951, HB 1983

**RULES - PURSUANT TO RULE 25(21)(f)**

Monday, February 18, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCS HB 1309, HB 1678, HB 1416, HB 1824, HB 1371, HB 1806, HB 1911, HB 1970, HCS HB 1393, HCS HB 1595 & 1668, HCS HB 1619, HCS HB 1763, HCS HB 1779

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 1363, HB 1590

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1486, HB 1651, HB 1782, HB 1923

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, February 19, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1440, HB 1723, HB 1904

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 4.

Executive session to follow.

Public hearings to be held on: HCR 11, HCR 16

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 27, 2008, 1:00 p.m.

Public Service Commission, Governor Building,  
200 Madison Street, Jefferson City, MO.

Informational hearing.

Presentation by Edison Electric, "State of the Electric Industry".

**TRANSPORTATION**

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1353, HB 1639, HB 1696, HB 2037

**HOUSE CALENDAR**

TWENTY-SECOND DAY, MONDAY, FEBRUARY 18, 2008

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 68 through HJR 70

**HOUSE BILL FOR SECOND READING - APPROPRIATIONS**

HB 2014

**HOUSE BILLS FOR SECOND READING**

HB 2135 through HB 2175

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 55 - McGhee

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/12/08)

- 1        HCS HB 1305 - Day
- 2        HB 1354 - Wilson (119)
- 3        HB 1406 - Deeken
- 4        HB 1450 - Roorda
- 5        HCS HB 1575 - Jones (117)
- 6        HB 1628 - Cooper (120)
- 7        HB 1656 - Nance
- 8        HB 1670 - Cooper (120)
- 9        HCS HB 1774 - Wallace

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1        HB 1310 - Hoskins
- 2        HB 1311 - Hoskins
- 3        HB 1320 - Brown (50)
- 4        HB 1313 - Wright
- 5        HCS HB 1380 - Sater
- 6        HB 1386 - Cox

**HOUSE CONCURRENT RESOLUTION**

HCR 4, (2-07-08, Page 204) - Wright



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-SECOND DAY, MONDAY, FEBRUARY 18, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are mighty and yet You despise no one nor regard anything as trivial; You are mighty and firm in Your purpose.

We recognize that there is no authority except from You and the authorities that exist have definite responsibilities concerning this state and its overall state of health. So our earnest expectation is to establish law that does not violate conscience, but help to establish the highest well-being of the general public.

Thank You for meeting our impatience with patience and consideration. We understand that good legislation is never easy, nor a pathway to uninterrupted success, but, with Your help, they can be completed within the established timetables.

Now may You, God of hope, fill us with the joy of believing. Fill us with Your peace, so that we may brim over with hope!

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kaitlyn Babcock, Caitlyn Kerley, Austin Nobles, Clark Ledford, Lindsay Treece, Tyler Davis, John Miller, Alan Dockery and Tyler Mutch.

The Journal of the twenty-first day was approved as printed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kuessner	Lampe	Lembke	LeVota

Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 001

George

ABSENT WITH LEAVE: 011

Bland	Bruns	Curls	Darrough	Donnelly
Harris 23	Kraus	Moore	Sander	Schneider
Wright-Jones				

VACANCIES: 005

## **SPECIAL RECOGNITION**

Evan Neal Mirts was introduced by Representatives Deeken and Lampe, and recognized for being one of the forty finalists in the Intel Science Talent Search.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 671 through House Resolution No. 692

## **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 68** through **HJR 70** were read the second time.

## **SECOND READING OF HOUSE BILL - APPROPRIATIONS**

**HB 2014** was read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 2135** through **HB 2175** were read the second time.

**PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 55**, relating to religious freedom in public places, was taken up by Representative McGhee.

Representative Nasheed offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Joint Resolution No. 55, Page 1, Section 5, Line 6, by inserting after the word "God" on said line, the words "or Allah".

Representative Avery offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

Representative Jones (89) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is out of order pursuant to Rule 46(a).

**House Substitute Amendment No. 1 for House Amendment No. 3, with the point of order, pending**, was withdrawn.

Representative Talboy offered **House Amendment No. 1 to House Amendment No. 3**.

Representative Silvey raised a point of order that **House Amendment No. 1 to House Amendment No. 3** is not a true amendment to the amendment.

The Chair ruled the point of order well taken.

Representative Talboy offered **House Substitute Amendment No. 2 for House Amendment No. 3**.

*House Substitute Amendment No. 2  
for  
House Amendment No. 3*

AMEND House Committee Substitute for House Joint Resolution No. 55, Page 1, Section 5, Line 6, by adding after the words "Almighty God" the words "or Supreme being".

Representative Skaggs offered **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 3**.

*House Amendment No. 1*  
to  
*House Substitute Amendment No. 2*  
for  
*House Amendment No. 3*

AMEND House Substitute Amendment No. 2 for House Amendment No. 3 to House Committee Substitute for House Joint Resolution No. 55, Page 1, Line 6 from the top of said page, by adding after the word "being" the words "or the inerrancy of the Bible".

On motion of Representative Skaggs, **House Amendment No. 1 to House Substitute Amendment No. 2 for House Amendment No. 3** was adopted by the following vote:

AYES: 119

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Burnett
Casey	Chappelle-Nadal	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hughes	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Nance	Nieves	Nolte
Norr	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robinson	Roorda	Rucker	Ruzicka	Salva
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Viebrock	Villa	Walsh
Walton	Wasson	Wells	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 024

Cooper 120	Cooper 155	Corcoran	Dougherty	El-Amin
Emery	Hoskins	Hubbard	Hunter	May
Muschany	Nasheed	Oxford	Robb	Ruestman
Sater	Schlottach	Smith 14	Talboy	Vogt
Wallace	Weter	Young	Zweifel	

PRESENT: 003

Baker 25	Johnson	Lowe 44
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ABSENT WITH LEAVE: 012

Bruns	Darrough	Donnelly	Harris 23	Kraus
Low 39	Moore	Onder	Sander	Schneider
Threlkeld	Wright-Jones			

VACANCIES: 005

Representative Talboy moved that **House Substitute Amendment No. 2 for House Amendment No. 3, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 045

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Daus	Dougherty
El-Amin	Fallert	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hubbard	Hughes
Komo	Kuessner	Lampe	LeVota	Liese
McClanahan	Meadows	Meiners	Nasheed	Norr
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Shively	Skaggs	Talboy
Walton	Whorton	Wildberger	Yaeger	Zimmerman

NOES: 096

Avery	Baker 123	Bivins	Brandom	Brown 30
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kelly
Kingery	Lembke	Lipke	Loehner	Marsh
May	McGhee	Munzlinger	Muschany	Nance
Nieves	Nolte	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Ruestman	Ruzicka	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Schoemehl	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zweifel
Mr Speaker				

PRESENT: 003

Baker 25	Lowe 44	Spreng
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ABSENT WITH LEAVE: 014

Bruns	Darrough	Donnelly	Faith	Harris 23
Johnson	Kraus	Low 39	Moore	Onder
Sander	Schneider	Threlkeld	Wright-Jones	

VACANCIES: 005

Representative Salva offered **House Substitute Amendment No. 3** for **House Amendment No. 3**.

Representative Stevenson raised a point of order that **House Substitute Amendment No. 3** for **House Amendment No. 3** goes beyond the scope of the underlying amendment.

**House Amendment No. 3, with House Substitute Amendment No. 3, and the point of order, pending,** was withdrawn.

On motion of Representative McGhee, **HCS HJR 55** was adopted.

On motion of Representative McGhee, **HCS HJR 55** was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2014** - Budget  
**HB 1910** - Special Committee on Government Affairs  
**HB 2064** - Special Committee on Professional Registration and Licensing  
**HB 2068** - Special Committee on Professional Registration and Licensing  
**HB 2081** - Special Committee on Professional Registration and Licensing  
**HB 2082** - Special Committee on Professional Registration and Licensing  
**HB 2174** - Agriculture Policy

### **COMMITTEE REPORTS**

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1309**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1371**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1393**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1416**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1595 & 1668**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1619**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1678**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1763**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1779**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1824**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1911**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1970**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2176**, introduced by Representatives Harris (23), Page, Darrough and Zimmerman, relating to the disclosure of news sources and information.

**HB 2177**, introduced by Representatives Harris (23), Roorda, Page and Darrough, relating to the Missouri sunshine law.

**HB 2178**, introduced by Representatives Holsman, Grill, LeVota and Talboy, relating to federal economic stimulus payments.

**HB 2179**, introduced by Representatives Wildberger, Wallace, Schieffer, McGhee, Page, Dougherty, Meiners, Roorda and Whorton, relating to unauthorized aliens.

**HB 2180**, introduced by Representative Harris (23), relating to the provision of mental health services.

**HB 2181**, introduced by Representative Cunningham (86), relating to teacher salaries.

**HB 2182**, introduced by Representative Franz, relating to public road width.

**HB 2183**, introduced by Representatives Low (39), Norr, Oxford, George, Vogt, Lowe (44), Darrough, Schoemehl, Walsh, LeVota and Nasheed, relating to the posting of nurse staffing levels at hospitals.

**HB 2184**, introduced by Representatives Low (39), Haywood, Oxford, George, Vogt and Lowe (44), relating to corporate tax disclosures.

**HB 2185**, introduced by Representatives Low (39), Oxford, George, Vogt, Darrough, LeVota, Fallert and Nasheed, relating to paid sick days.

**HB 2186**, introduced by Representatives Low (39), Aull, Oxford, George and Vogt, relating to the wrongful injury or death of a companion animal.

**HB 2187**, introduced by Representatives Low (39), Haywood, Norr, George, Vogt, Lowe (44), Schoemehl, LeVota and Nasheed, relating to a tax credit for service as a poll worker.

**HB 2188**, introduced by Representatives Pearce, Cunningham (145), Richard, Wasson, Parson, Jones (117), Schoeller, Wilson (119), Dixon, Wells and Scharnhorst, relating to mortgage fraud.

**HB 2189**, introduced by Representatives Smith (14), Icet, Nieves, Ruzicka, Onder, Funderburk, Scharnhorst, Tilley, Jetton, Muschany, Robb, Wood, Faith, Bivins, Pratt, Stevenson, Dusenberg, Nance, Jones (89), Self, Loehner, Ruestman, Stream, Nolte and Wilson (119), relating to federal economic stimulus payments.

**HB 2190**, introduced by Representatives Nasheed, Tilley and Norr, relating to sales taxes on food.

**HB 2191**, introduced by Representatives Nasheed, Donnelly, Dougherty and Talboy, relating to the A+ schools program.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2019**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 2020**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, from the funds designated for the fiscal period ending June 30, 2008.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 830**, entitled:

An act to amend chapter 173, RSMo, by adding thereto one new section relating to combat veterans.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 994**, entitled:

An act to repeal section 169.010, RSMo, and to enact in lieu thereof one new section relating to the public school retirement system of Missouri, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Harris (23).

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, February 19, 2008.

### **COMMITTEE MEETINGS**

#### **APPROPRIATIONS - EDUCATION**

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 3.  
Committee will continue work on its report. CANCELLED

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 5.  
MO HealthNet participation case management discussion with the Department of Social Services.

#### **APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES**

Wednesday, February 20, 2008, 2:00 p.m. Hearing Room 5.  
Committee recommendations 2009 budget for the Department of Health and Senior Services, Department of Mental Health, and Department of Social Services.

#### **APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 6.  
Public Safety Committee work.  
Developing recommendations to the Budget Committee.

**APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS**

Wednesday, February 20, 2008, 2:00 p.m. Hearing Room 6.

Department of Corrections committee work.

Developing recommendations to the Budget Committee.

**APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 3.

Discuss draft of committee report.

Executive session may follow.

**BUDGET**

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 2014

**BUDGET**

Thursday, February 21, 2008, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 2014

**CONSERVATION AND NATURAL RESOURCES**

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HJR 63, HB 1648

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, February 19, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1348, HB 1410, HB 1775

**ELECTIONS**

Tuesday, February 19, 2008, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1647

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 20, 2008, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1876, HB 1877

**HEALTH CARE POLICY**

Tuesday, February 19, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1831, HB 1793

HIGHER EDUCATION

Tuesday, February 19, 2008, 5:00 p.m. Hearing Room 1.  
Executive session may follow. AMENDED  
Public hearings to be held on: HB 1869, HB 1802

JOINT COMMITTEE ON GAMING AND WAGERING

Tuesday, February 19, 2008, 8:00 a.m. Senate Lounge.  
Briefing/update by the Missouri Gaming Commission.  
Election of Committee Chairman.

JUDICIARY

Tuesday, February 19, 2008, 12:00 p.m. Hearing Room 1.  
Executive session may follow.  
Public hearings to be held on: HB 1850, HB 1951, HB 1983

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 4.  
Possible Executive session.  
Public hearings to be held on: HB 1363, HB 1590

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow. AMENDED  
Public hearings to be held on: HCR 19, HB 1472

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1486, HB 1651, HB 1782, HB 1923

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, February 19, 2008, 8:30 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 1440, HB 1723, HB 1904

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, February 19, 2008, 3:00 p.m. Hearing Room 7.  
Executive session may follow.  
Please note change of time and location due to a conflict in scheduling.  
Public hearings to be held on: HB 1671, HB 1691

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, February 20, 2008, 12:00 p.m. Hearing Room 6.  
The committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.  
Executive session may follow.  
Public hearings to be held on: HB 1880, HB 1375

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2058, HB 1810, HB 1568

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1706, HB 1707, HB 1938

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, February 19, 2008, 2:00 p.m. Hearing Room 4.

Executive session to follow.

Public hearings to be held on: HCR 11, HCR 16

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, February 20, 2008, Hearing Room 1 upon morning adjournment.

Executive session may follow. CORRECTED NOTICE

Public hearings to be held on: HCR 8, HCR 23

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 20, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow on HB 1636 and HB 1426.

Public hearings to be held on: HB 1942, HB 1582

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 27, 2008, 1:00 p.m.

Public Service Commission, Governor Building,

200 Madison Street, Jefferson City, MO.

Informational hearing. Presentation by Edison Electric, "State of the Electric Industry".

**TRANSPORTATION**

Tuesday, February 19, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1353, HB 1639, HB 1696, HB 2037

**HOUSE CALENDAR**

TWENTY-THIRD DAY, TUESDAY, FEBRUARY 19, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2176 through HB 2191

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/12/08)

- 1 HCS HB 1305 - Day
- 2 HB 1354 - Wilson (119)
- 3 HB 1406 - Deeken
- 4 HB 1450 - Roorda
- 5 HCS HB 1575 - Jones (117)
- 6 HB 1628 - Cooper (120)
- 7 HB 1656 - Nance
- 8 HB 1670 - Cooper (120)
- 9 HCS HB 1774 - Wallace

(2/19/08)

- 1 HCS HB 1309 - Day
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1310 - Hoskins
- 2 HB 1311 - Hoskins
- 3 HB 1320 - Brown (50)
- 4 HB 1313 - Wright
- 5 HCS HB 1380 - Sater
- 6 HB 1386 - Cox

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 830
- 2 SCS SB 994

**HOUSE CONCURRENT RESOLUTION**

HCR 4, (2-07-08, Page 204) - Wright

**HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet

# **JOURNAL OF THE HOUSE**

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-THIRD DAY, TUESDAY, FEBRUARY 19, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Robert Kurwicky, St. Joseph Cathedral, Jefferson City, Missouri.

Almighty and loving God, we ask for Your presence in this Chamber today, as we discern those matters which will bring light, peace and joy to the people that we serve. Let us be united in the common good and not distracted by those things which divide us.

May our thoughts and words be reflections of the honor of this institution now and in the future. Protect those who now defend us and give to all a spirit of right judgment and enlightenment. We ask this and for all things in Your Holy name. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Elma Murguz, Amanda Dennis, Arleen Luhmann, Libby Rathert, Allison Stumpf, Theresa Miller, Aaron Franklin, Juan Boquin, Scott Thompson, Cameron Herring and Kaitlyn Skiles.

Representative Quinn (7) assumed the Chair.

The Journal of the twenty-second day was approved as corrected.

## **SPECIAL RECOGNITION**

The 2007-2008 Future Farmers of America State Officers were introduced by Representative Quinn (7).

Kabel Oaks, State FFA President, addressed the House and was presented a resolution by Representative Whorton.

Dr. Steve Brown was introduced by Representative Deeken and recognized as an Outstanding Missourian.

## **HOUSE RESOLUTION**

Representative Deeken offered House Resolution No. 702.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 693 through House Resolution No. 701

House Resolution No. 703 through House Resolution No. 728

## SECOND READING OF HOUSE BILLS

**HB 2176** through **HB 2191** were read the second time.

## THIRD READING OF HOUSE BILLS - CONSENT

**HCS HB 1380**, relating to senior citizens' services, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 1380** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 002

Harris 23 Wright-Jones

VACANCIES: 005

Representative Quinn (7) declared the bill passed.

**HB 1386**, relating to municipal health care facilities, was taken up by Representative Cox.

On motion of Representative Cox, **HB 1386** was read the third time and passed by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 007

Bringer	Darrough	Frame	Quinn 9	Shively
Todd	Whorton			

PRESENT: 003

Oxford	Roorda	Skaggs
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ABSENT WITH LEAVE: 004

El-Amin	Harris 23	Hunter	Wright-Jones
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VACANCIES: 005

Representative Quinn (7) declared the bill passed.

**HB 1313**, relating to disabled veterans preference, was taken up by Representative Wright.

On motion of Representative Wright, **HB 1313** was read the third time and passed by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 011

Burnett	Curls	El-Amin	Ervin	Flook
George	Hughes	Low 39	Skaggs	Talboy
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 005

Cooper 155 Harris 23 Lowe 44 St. Onge Wright-Jones

VACANCIES: 005

Representative Quinn (7) declared the bill passed.

**HB 1311**, relating to write-in candidates, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 1311** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 002

Low 39 Oxford

ABSENT WITH LEAVE: 005

Donnelly

Harris 23

Lowe 44

St. Onge

Wright-Jones

VACANCIES: 005

Representative Quinn (7) declared the bill passed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1516** - Crime Prevention and Public Safety

**HB 1804** - Special Committee on Government Affairs

**HB 2036** - Special Committee on Senior Citizen Advocacy

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 1716** - Special Committee on General Laws

### **COMMITTEE REPORTS**

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1348**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1384**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1410**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1934**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1422**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1532**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 1305, HB 1354, HB 1406, HB 1450, HCS HB 1575, HB 1628, HB 1656, HB 1670 and HCS HB 1774.**

**INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2192**, introduced by Representative Sutherland, relating to certificate of need review for certain long-term care facilities.

**HB 2193**, introduced by Representatives Robb, Dougherty, Sander, Moore, Sater and Cunningham (86), relating to the pharmacy rebates fund.

**HB 2194**, introduced by Representative Pratt, relating to the definition of certified mail.

**HB 2195**, introduced by Representative Cunningham (145), relating to military scholarships.

**HB 2196**, introduced by Representative Cooper (120), relating to the regulation of motor fuel tanks.

**HB 2197**, introduced by Representatives Lampe, George, Talboy, Wildberger and Baker (25), relating to corporate filings with the secretary of state.

**HB 2198**, introduced by Representatives Lipke and Wilson (130), relating to the Missouri health insurance pool.

**HB 2199**, introduced by Representatives Lipke, Muschany, Dusenberg, Threlkeld, Yates, Scharnhorst and Pratt, relating to income taxation.

**HB 2200**, introduced by Representatives Zimmerman, Nance, Grill and Yaeger, relating to the uniform limited partnership law.

**HB 2201**, introduced by Representative Kelly, relating to fire protection association fees.

**HB 2202**, introduced by Representative Kelly, relating to hazardous duty pay for certain corrections personnel.

**HB 2203**, introduced by Representatives Pratt and Pearce, relating to computer spyware.

**HB 2204**, introduced by Representative Ervin, relating to the public school retirement system.

**HB 2205**, introduced by Representatives Sutherland, Cooper (120), El-Amin, Meiners, Stream, Threlkeld, Onder, Hubbard, Hunter and Baker (25), relating to motor vehicle offenses.

**HB 2206**, introduced by Representatives Sutherland, Cooper (120), El-Amin, Meiners, Stream, Threlkeld, Onder, Hubbard, Hunter and Baker (25), relating to public roadways.

**HB 2207**, introduced by Representatives Hoskins, Hubbard and Cunningham (86), relating to the HCH Scholarship Program.

**HB 2208**, introduced by Representatives Stream, Fisher, Jones (89), Wright, Scharnhorst, Schoeller, Bruns, Thomson, Smith (150) and Cunningham (86), relating to federal economic stimulus payments.

**HB 2209**, introduced by Representative Smith (150), relating to ambulance licenses.

**HB 2210**, introduced by Representatives Jones (89), Tilley, Thomson, Brandom, Robb, Pearce, Portwood, Nance, LeVota, Burnett, Roorda, Zimmerman, Storch, Bivins and Cox, relating to public records and meetings.

**HB 2211**, introduced by Representatives Harris (23), Page, Roorda and Darrough, relating to contracts.

### COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Hodges has been appointed a member of the Special Committee on Rural Community Development.

Representative Komo has been appointed a member of the Special Committee on Immigration.

Representative Nasheed has been appointed a member of the Budget Committee.

Representative Page is no longer a member of the Special Committee on Health Insurance.

Representative Roorda has been appointed a member of the Local Government Committee.

Representative Talboy is no longer a member of the Local Government Committee.

Representative Walton is no longer a member of the Special Committee on Immigration.

The following member's presence was noted: Harris (23).

### ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, February 20, 2008.

### CORRECTION TO THE HOUSE JOURNAL

#### AFFIDAVIT

I, State Representative Joe Smith, District 14, hereby state and affirm that my vote as recorded on Page 259 of the House Journal for February 18, 2008 showing that I voted no was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 19th day of February 2008.

/s/ Joe Smith  
State Representative

State of Missouri       )  
                                  ) ss.  
County of Cole        )

Subscribed and sworn to before me this 19th day of February in the year 2008.

/s/ Megan Limbach  
Notary Public

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Thursday, February 21, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 2174

### APPROPRIATIONS - HEALTH, MENTAL HEALTH AND SOCIAL SERVICES

Wednesday, February 20, 2008, 2:00 p.m. Hearing Room 5.

Committee recommendations 2009 budget for the Department of Health and Senior Services, Department of Mental Health, and Department of Social Services.

### APPROPRIATIONS - PUBLIC SAFETY AND CORRECTIONS

Wednesday, February 20, 2008, 2:00 p.m. Hearing Room 6.

Department of Corrections committee work.

Developing recommendations to the Budget Committee.

### APPROPRIATIONS - TRANSPORTATION AND ECONOMIC DEVELOPMENT

Wednesday, February 20, 2008, 3:00 p.m. Hearing Room 3.

Discuss committee report.

Executive session may follow.

### BUDGET

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 2014

### BUDGET

Thursday, February 21, 2008, 8:15 a.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: HB 2014

### CONSERVATION AND NATURAL RESOURCES

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HJR 63, HB 1648

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, February 20, 2008, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1876, HB 1877

### JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE

Wednesday, February 20, 2008, 5:00 p.m. Senate Committee Room 1.

Public hearing to be held on: SB 904

**LOCAL GOVERNMENT**

Wednesday, February 20, 2008, 12:00 p.m. Hearing Room 4.  
Executive session may be held.  
Public hearings to be held on: HB 1431, HB 1888, HB 1995, HB 2027

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow. AMENDED  
Public hearings to be held on: HCR 19, HB 1472

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, February 20, 2008, 12:00 p.m. Hearing Room 6.  
The committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.  
Executive session may follow. AMENDED  
Public hearings to be held on: HB 1880, HB 1375, HB 1805

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, February 21, 2008, 9:00 a.m. Hearing Room 1.  
Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.  
Executive session may follow. AMENDED

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, February 20, 2008, 5:00 p.m. Hearing Room 7.  
Executive session may follow.  
Public hearing to be held on: HB 1549

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 2058, HB 1810, HB 1568

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, February 21, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 1739, HB 2081, HB 2082, HB 2064, HB 2065, HB 2068

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, February 21, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearings to be held on: HB 2055, HB 2056

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, February 20, 2008, 5:00 p.m. Hearing Room 1.  
Executive session may follow. AMENDED  
Public hearings to be held on: HB 2036, HCR 21



**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, February 21, 2008, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1438, HB 1610

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 20, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1706, HB 1707, HB 1938

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, February 20, 2008, Hearing Room 1 upon morning adjournment.

Executive session may follow. CORRECTED NOTICE

Public hearings to be held on: HCR 8, HCR 23

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 20, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow on HB 1636 and HB 1426.

Public hearings to be held on: HB 1942, HB 1582

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 27, 2008, 1:00 p.m.

Public Service Commission, Governor Building,  
200 Madison Street, Jefferson City, MO.

Informational hearing. Presentation by Edison Electric, "State of the Electric Industry".

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 20, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 2041

**WAYS AND MEANS**

Thursday, February 21, 2008, 8:30 a.m. Hearing Room 5.

Possible Executive session. CORRECTED NOTICE

Public hearings to be held on: HB 1679, HB 1695, HB 2079

**HOUSE CALENDAR**

TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 20, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2192 through HB 2211

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1371 - Wilson (119)
- 2 HCS HBs 1595 & 1668 - Swinger
- 3 HCS HB 1619 - Jones (117)
- 4 HB 1678 - Day
- 5 HCS HB 1763 - Parson
- 6 HCS HB 1779 - Emery
- 7 HB 1911 - Muschany
- 8 HB 1970 - Wasson

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/19/08)

- 1 HCS HB 1309 - Day
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1310 - Hoskins
- 2 HB 1320 - Brown (50)
- 3 HCS HB 1305 - Day
- 4 HB 1354 - Wilson (119)
- 5 HB 1406 - Deeken
- 6 HB 1450 - Roorda
- 7 HCS HB 1575 - Jones (117)
- 8 HB 1628 - Cooper (120)
- 9 HB 1656 - Nance
- 10 HB 1670 - Cooper (120)
- 11 HCS HB 1774, E.C. - Wallace

**HOUSE CONCURRENT RESOLUTION**

HCR 4, (2-07-08, Page 204) - Wright

**HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-FOURTH DAY, WEDNESDAY, FEBRUARY 20, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

O Lord God Almighty, who is like You? You are mighty, O Lord, and Your faithfulness surrounds You.

As we begin this day, grant us the grace to be ready and willing to work with one another towards a common goal. Grant us controlled tempers, civil tongues and a rewarding work week.

As You are not indifferent to our plea for help, may we not be indifferent to the plea for help from those we serve. As You have been a source of comfort for us, may we be a source of comfort for others. As You have revealed to us truth, may we be a source of truth for all who inquire.

Now may Your grace rest and abide with us throughout this day and the remainder of the week.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kayla Ervin, Kristen Ervin and Kasey Ervin.

The Journal of the twenty-third day was approved as corrected.

## **SPECIAL RECOGNITION**

The Orrick Bearcats Football Team was introduced by Representative Nance and recognized for attaining the Class 1 State Championship.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 729 through House Resolution No. 759

## **SECOND READING OF HOUSE BILLS**

**HB 2192** through **HB 2211** were read the second time.

**HOUSE CONCURRENT RESOLUTION**

**HCR 4**, relating to prices and inventories of rice, was taken up by Representative Wright.

On motion of Representative Wright, **HCR 4** was adopted.

**THIRD READING OF HOUSE BILLS - CONSENT**

**HB 1628**, relating to alternative fuel decals, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HB 1628** was read the third time and passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 001

Spreng

ABSENT WITH LEAVE: 007

Cooper 155	Harris 23	Hubbard	Hunter	LeVota
Meiners	Salva			

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HB 1670**, relating to a tax exemption for pollution control, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HB 1670** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 002

Oxford	Spreng
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ABSENT WITH LEAVE: 009

Baker 25	Cooper 155	Donnelly	Harris 23	Hubbard
Hunter	LeVota	Meiners	Salva	

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton assumed the Chair.

### SIGNING OF HOUSE BILL

All other business of the House was suspended while **HB 2019** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 2019** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Pratt resumed the Chair.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1320**, relating to community improvement districts, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HB 1320** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider

Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Curls

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 25	Cooper 155	Donnelly	Harris 23	Hubbard
LeVota	Meiners	Rucker	Salva	

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1305**, relating to high school course exemptions, was taken up by Representative Day.

On motion of Representative Day, **HCS HB 1305** was read the third time and passed by the following vote:

AYES: 134

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Lembke
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd



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Viebrock	Villa	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 015

Davis	George	Harris 23	Hughes	Johnson
Kuessner	Lampe	Low 39	Roorda	Skaggs
Talboy	Vogt	Wallace	Whorton	Wright-Jones

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 25	Cooper 155	Donnelly	Hoskins	Hubbard
Hunter	LeVota	Meiners	Salva	

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HB 1656**, relating to grants for nursing home residents, was taken up by Representative Nance.

On motion of Representative Nance, **HB 1656** was read the third time and passed by the following vote:

AYES: 140

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130

Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 007

Bringer	Darrough	Harris 110	Low 39	Lowe 44
Skaggs	Talboy			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Cooper 120	Cooper 155	Donnelly	Hubbard
Hughes	Hunter	Johnson	LeVota	Meiners
Salva				

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1575**, relating to a memorial highway, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HCS HB 1575** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood

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Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Baker 123	Cooper 120	Cooper 155	Donnelly
Hubbard	Hunter	LeVota	Meiners	Salva

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HB 1354**, relating to registration exemptions, was taken up by Representative Wilson (119).

On motion of Representative Wilson (119), **HB 1354** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Cooper 120	Cooper 155	Donnelly	Hubbard
Hunter	LeVota	Lowe 44	Meiners	Richard
Salva				

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HB 1310**, relating to elections for independent candidates, was taken up by Representative Hoskins.

**HB 1310** was laid over.

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 1788** - Special Committee on Veterans

### RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

**HB 1472** - Health Care Policy

### COMMITTEE REPORTS

**Committee on Higher Education**, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### HOUSE CONCURRENT RESOLUTION NO. 7

WHEREAS, international education is a critical component of higher education in Missouri and contributes to the economy of the state and to a diverse college environment, enhancing both academic and extra-curricular programs; and

WHEREAS, international education is critical to promoting a broadened worldview and therefore preparing Missourians for life and work in the global economy and creating a diverse academic environment by exchanging scholars and students between countries and building the foundation for future business success; and

WHEREAS, higher education should emphasize international education, including foreign language instruction and study abroad in order to ensure graduates have the cross-cultural skills necessary to function effectively in the global workforce; and

WHEREAS, the Missouri General Assembly recognizes the social importance of cultural awareness, the need to promote study-abroad programs that serve Missouri students and the economic significance of international students who come to Missouri for educational opportunities provided by the state; and

WHEREAS, the net contribution to our state's economy by international students and their families was estimated at over \$217 million in 2006-2007 and a strategy at the state and national level is needed to ensure America's status as a magnet for international students and scholars; and

WHEREAS, the economy of Missouri is inextricably tied to the rest of the world and state economic development depends upon a deliberate strategic development plan that includes recognition of the role of international education in all its facets; and

WHEREAS, heightened cultural awareness is critical to national interests and is a critical component of foreign policy, and Missouri's colleges and universities play a key role in developing foreign language and foreign-area expertise by promoting language study, study abroad, and faculty exchange programs; and

WHEREAS, the United States' national security and economic interests and competitiveness depend significantly on the country's ability to provide future leaders with the best education possible:

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, that international education is an essential component of the future of the State of Missouri and the Missouri General Assembly supports and encourages students and faculty to promote international education as a part of curricular and extra-curricular life at the State's colleges and universities to ensure that students and future leaders are prepared to meet the challenges of a global society; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each institution of higher education in this state.

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1368**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1805**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Health Insurance**, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 1689**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 1690**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 2058**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tourism**, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 8

WHEREAS, hydrocephalus is a serious neurological condition, characterized by the abnormal build up of cerebrospinal fluids in the ventricles of the brain; and

WHEREAS, there is no known cure for hydrocephalus, which effects an estimated one million Americans; and

WHEREAS, one or two in every one thousand babies are born with hydrocephalus; and

WHEREAS, over 375,000 older Americans have hydrocephalus which often goes undetected or misdiagnosed as dementia, Alzheimer's disease, or Parkinson's disease; and

WHEREAS, with appropriate diagnosis and treatment, people with hydrocephalus are able to live full and productive lives; and

WHEREAS, the standard treatment for hydrocephalus was developed in 1953 and carries multiple risks, including shunt failure, infection, and over drainage; and

WHEREAS, there are fewer than ten centers in the United States specializing in the treatment of adults with normal pressure hydrocephalus; and

WHEREAS, each year the people of the United States spend in excess of one million dollars to treat hydrocephalus; and

WHEREAS, the Hydrocephalus Association is one of the nation's oldest and largest patient and research advocacy and support network for individuals suffering from hydrocephalus; and

WHEREAS, further research into the epidemiology, pathology, disease burden, and improved treatment of hydrocephalus should be conducted and supported; and

WHEREAS, public awareness and professional education regarding hydrocephalus should increase through partnership between the local, state, and federal governments and patient advocacy organizations, such as the Hydrocephalus Association:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the month of March 2008 as "Hydrocephalus Awareness Month" in Missouri so that Missourians can become more familiar with hydrocephalus and the individuals dedicated to finding its cure; and

BE IT FURTHER RESOLVED that the Missouri General Assembly urges the federal government to collect comprehensive statistics and data regarding the seriousness of hydrocephalus and its impact on American families.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 23

AN ACT

Relating to the observance of Ronald Reagan Day in Missouri.

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, Union leader, corporate spokesman, Governor of California, and President of the United States; and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America, the second of which he earned the confidence of 60% of the electorate and was victorious in 49 of the 50 states in the general election - a record unsurpassed in the history of American presidential elections; and

WHEREAS, in 1981, when Ronald Reagan was inaugurated President, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

WHEREAS, during Mr. Reagan's presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an unprecedented economic expansion and opportunity for millions of Americans; and

WHEREAS, Mr Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods; and

WHEREAS, President Reagan's commitment to our armed forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to meet 21st Century challenges; and

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

WHEREAS, February 6, 2008, will be the 97th anniversary of Ronald Reagan's birth, and the third since his passing:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby declare February 6th of each year to be "Ronald Reagan Day" in Missouri and urge all citizens of Missouri to recognize this event and participate fittingly in its observance; and

BE IT FURTHER RESOLVED that this resolution be sent to the Governor for his approval or rejection pursuant to the Missouri Constitution.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2212**, introduced by Representative Wasson, relating to statutory liens against real estate.

**HB 2213**, introduced by Representatives Kraus, Muschany, Dusenberg, Yates, Daus and Grisamore, relating to the designation of parent and family involvement in education week.

**HB 2214**, introduced by Representative Cooper (120), relating to motor vehicle weight restrictions.

**HB 2215**, introduced by Representatives Flook, Day, Grisamore, Nance, Cooper (155), Bruns, Wilson (119), Schoeller, Kraus, Fisher, McGhee, Funderburk, Smith (150), Silvey, Faith, Pratt, Jones (89), Nieves, Pearce, Brandom and Hobbs, relating to the quality jobs act.

**HB 2216**, introduced by Representative Bringer, relating to background checks for teachers.

**HB 2217**, introduced by Representative Threlkeld, relating to the licensing of pharmacy benefit managers.

**HB 2218**, introduced by Representatives Lipke, Lembke, Wright, Silvey, Hobbs, Walton, Portwood, Schieffer and Salva, relating to the Missouri consolidated health care plan.

**HB 2219**, introduced by Representatives Lampe, Lowe (44), Schoemehl, Page, Wright-Jones, Schieffer, Oxford, Corcoran and Roorda, relating to state funding for elementary and secondary education.

**HB 2220**, introduced by Representatives Lampe, Schoemehl, Page, Oxford and Roorda, relating to state funding for elementary and secondary education.

**HB 2221**, introduced by Representative St. Onge, relating to taxation of aircraft.

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 724**, entitled:

An act to repeal sections 195.070, 195.100, 334.104, and 335.016, RSMo, and to enact in lieu thereof five new sections relating to nurses.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 801**, entitled:

An act to repeal sections 84.480 and 84.510, RSMo, and to enact in lieu thereof two new sections relating to certain police officers' compensation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 820**, entitled:

An act to repeal section 48.030, RSMo, and to enact in lieu thereof one new section relating to counties changing classification.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 845**, entitled:

An act to repeal section 71.012, RSMo, and to enact in lieu thereof one new section relating to the annexing of certain public land.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 931**, entitled:

An act to amend chapter 267, RSMo, by adding thereto one new section relating to the national animal identification system.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 935**, entitled:

An act to repeal sections 57.280, 488.435, and 650.350, RSMo, and to enact in lieu thereof four new sections relating to deputy sheriffs' salaries.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 943**, entitled:

An act to repeal sections 89.080, 89.090, and 305.410, RSMo, and to enact in lieu thereof three new sections relating to airport zoning.

In which the concurrence of the House is respectfully requested.

## **WITHDRAWAL OF HOUSE BILL**

February 18, 2008

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives  
Room 306, Capitol Building  
Jefferson City, MO 65101

Dear Chief Clerk Crumbliss:

I would like to respectfully request that **House Bill No. 1998** regarding Adoption Records be withdrawn.

Thank you in advance for your cooperation with this matter.

Sincerely,

/s/ Connie L. Johnson  
Representative, 61<sup>st</sup> District

The following members' presence was noted: Hubbard, LeVota and Salva.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, February 21, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-third Day, Tuesday, February 19, 2008, Page 270, Line 6, by inserting after said line the following:

## **SECOND READING OF SENATE BILLS**

**SCS SB 830** and **SCS SB 994** were read the second time.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, February 21, 2008, 8:00 a.m. Hearing Room 6.  
Executive session may follow.  
Public hearing to be held on: HB 2174

### **BUDGET**

Thursday, February 21, 2008, 8:15 a.m. Hearing Room 3.  
Executive session may follow.  
Public hearing to be held on: HB 2014

HIGHER EDUCATION

Tuesday, February 26, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1912, HB 1479

JUDICIARY

Tuesday, February 26, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1725, HB 1778, HB 1991, HJR 61

RULES - PURSUANT TO RULE 25(21)(f)

Thursday, February 21, 2008, 9:00 a.m. House Lounge.

Executive session may follow.

Public hearings to be held on: HB 1608, HB 1532, HB 1384, HB 1348, HB 1410, HB 1466, HB 1972, HB 1570, HB 1572, HB 1973, HCS HB 1649, HB 1574, HB 1490, HB 1640, HB 1711, HCS HB 1463, HCS HB 1314, HCS HB 1332

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Thursday, February 21, 2008, 9:00 a.m. Hearing Room 1.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow. AMENDED

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 21, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1739, HB 2081, HB 2082, HB 2064, HB 2065, HB 2068

SPECIAL COMMITTEE ON RETIREMENT

Thursday, February 21, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2055, HB 2056

SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS

Thursday, February 21, 2008, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1438, HB 1610

SPECIAL COMMITTEE ON UTILITIES

Wednesday, February 27, 2008, 1:00 p.m.

Public Service Commission, Governor Building,  
200 Madison Street, Jefferson City, MO.

Informational hearing. Presentation by Edison Electric, "State of the Electric Industry".

**WAYS AND MEANS**

Thursday, February 21, 2008, 8:30 a.m. Hearing Room 5.

Possible Executive session. **CORRECTED NOTICE**

Public hearings to be held on: HB 1679, HB 1695, HB 2079

**HOUSE CALENDAR**

**TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 21, 2008**

**HOUSE BILLS FOR SECOND READING**

HB 2212 through HB 2221

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1371 - Wilson (119)
- 2 HCS HBs 1595 & 1668 - Swinger
- 3 HCS HB 1619 - Jones (117)
- 4 HB 1678 - Day
- 5 HCS HB 1763 - Parson
- 6 HCS HB 1779 - Emery
- 7 HB 1911 - Muschany
- 8 HB 1970 - Wasson

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/19/08)

- 1 HCS HB 1309 - Day
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HCS HJR 55 - McGhee

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1310 - Hoskins
- 2 HB 1406 - Deeken
- 3 HB 1450 - Roorda
- 4 HCS HB 1774, E.C. - Wallace

**SENATE BILLS FOR SECOND READING**

- 1       SCS SB 724
- 2       SB 801
- 3       SB 820
- 4       SB 845
- 5       SS SCS SB 931
- 6       SCS SB 935
- 7       SB 943

**HOUSE BILL WITH SENATE AMENDMENT**

SS SCS HB 2020 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-FIFTH DAY, THURSDAY, FEBRUARY 21, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray for a little child, Kate Lipke, daughter of Representative Scott Lipke of Perry County; the child will have her second heart surgery tomorrow.

Almighty God, Father of all, we pray for this little child. Guide the doctors and nurses who care for her. We pray that Your healing touch provide whatever medical science is unable to provide for the complete healing of this child.

Lord God, we pray for all who suffer from illness or disease, and for those who suffer in this difficult weather.

Today, may we be especially aware of all who suffer. May Your Holy Spirit help us to see the implications of the people's suffering for our work as their Representatives.

May Your Holy Spirit be with us in all our work today and be our protection, and the protection of all who must travel later today.

Praise and glory to You, Almighty God, forever! Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: John "Jack" Shelton and Anne Shelton.

The Journal of the twenty-fourth day was approved as printed by the following vote:

AYES: 129

Aull	Avery	Bivins	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Corcoran	Cox	Cunningham 145	Curls	Davis
Day	Deeken	Denison	Dethrow	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	Grill	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Marsh	McClanahan	McGhee	Meadows	Meiners

Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Lowe 44                      Talboy                      Vogt

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 025

Baker 25	Baker 123	Bland	Brown 50	Cooper 120
Cooper 155	Cunningham 86	Daus	Dixon	El-Amin
Flook	George	Grisamore	Harris 23	Haywood
Hubbard	Loehner	May	Robinson	Sater
Schoemehl	Skaggs	Wright-Jones	Yaeger	Young

VACANCIES: 005

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 760 through House Resolution No. 779

## HOUSE CONCURRENT RESOLUTIONS

Representative Pratt, et al., offered House Concurrent Resolution No. 25.  
Representative Dixon, et al., offered House Concurrent Resolution No. 26.  
Representative Curls, et al., offered House Concurrent Resolution No. 27.

## SECOND READING OF HOUSE BILLS

**HB 2212** through **HB 2221** were read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 724, SB 801, SB 820, SB 845, SS SCS SB 931, SCS SB 935** and **SB 943** were read the second time.

Speaker Pro Tem Pratt assumed the Chair.

### THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 55**, relating to religious freedom in public places, was taken up by Representative McGhee.

On motion of Representative McGhee, **HCS HJR 55** was read the third time and passed by the following vote:

AYES: 132

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 011

Burnett	Curls	Daus	Hughes	Johnson
Low 39	Lowe 44	Oxford	Villa	Vogt
Wright-Jones				

PRESENT: 002

Spreng	Whorton
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ABSENT WITH LEAVE: 013

Baker 25	Bland	Brown 50	Donnelly	Dougherty
Harris 23	Haywood	Loehner	Robinson	Schoemehl
Skaggs	Yaeger	Young		

VACANCIES: 005



Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 70** - Budget

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1376** - Crime Prevention and Public Safety  
**HB 1408** - Health Care Policy  
**HB 1409** - Crime Prevention and Public Safety  
**HB 1477** - Special Committee on Workforce Development and Workplace Safety  
**HB 1493** - Crime Prevention and Public Safety  
**HB 1530** - Crime Prevention and Public Safety  
**HB 1539** - Special Committee on General Laws  
**HB 1584** - Conservation and Natural Resources  
**HB 1596** - Higher Education  
**HB 1611** - Special Committee on Family Services  
**HB 1627** - Special Committee on Health Insurance  
**HB 1629** - Judiciary  
**HB 1645** - Ways and Means  
**HB 1708** - Crime Prevention and Public Safety  
**HB 1710** - Special Committee on Retirement  
**HB 1727** - Conservation and Natural Resources  
**HB 1761** - Elections  
**HB 1764** - Judiciary  
**HB 1789** - Local Government  
**HB 1795** - Crime Prevention and Public Safety  
**HB 1815** - Special Committee on Health Insurance  
**HB 1851** - Special Committee on Workforce Development and Workplace Safety  
**HB 1852** - Crime Prevention and Public Safety  
**HB 1854** - Special Committee on Energy and Environment  
**HB 1866** - Special Committee on Government Affairs  
**HB 1867** - Local Government  
**HB 1874** - Special Committee on Financial Institutions  
**HB 1882** - Special Committee on Veterans  
**HB 1889** - Crime Prevention and Public Safety  
**HB 1891** - Elementary and Secondary Education  
**HB 1918** - Special Committee on Health Insurance  
**HB 1933** - Special Committee on Healthcare Transformation  
**HB 1935** - Special Committee on Professional Registration and Licensing

**HB 1956** - Special Committee on Agri-business  
**HB 1957** - Special Committee on Urban Issues  
**HB 1982** - Special Committee on General Laws  
**HB 2040** - Special Committee on Student Achievement  
**HB 2110** - Special Committee on General Laws  
**HB 2115** - Special Committee on Government Affairs  
**HB 2129** - Special Committee on Small Business  
**HB 2132** - Judiciary  
**HB 2135** - Special Committee on Energy and Environment  
**HB 2136** - Elementary and Secondary Education  
**HB 2147** - Special Committee on Utilities  
**HB 2148** - Special Committee on Professional Registration and Licensing  
**HB 2150** - Local Government  
**HB 2190** - Special Committee on Tax Reform

### COMMITTEE REPORTS

#### **Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2014**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

#### **Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### HOUSE CONCURRENT RESOLUTION NO. 19

WHEREAS, Missouri needs a foundational, centralized, guiding document that clarifies the state's interpretation of existing laws and practices relating to educating children who are deaf and hard of hearing; and

WHEREAS, Missouri needs to clarify standard educational principles for educators and administrators, and to provide ongoing direction to policymakers so that children who are deaf and hard of hearing will not be left behind in our educational system; and

WHEREAS, deaf and hard of hearing children have the same right and potential to become as independent and self-actualizing as their hearing peers:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby endorse the "Deaf and Hard of Hearing Children's Bill of Rights" as follows:

(1) Children who are deaf or hard of hearing are entitled to appropriate screening and assessment of hearing capabilities, communication, and language needs at the earliest possible age and to the continuation of screening services throughout the educational experience;

(2) Children who are deaf or hard of hearing are entitled to early intervention to provide for acquisition of solid language bases developed at the earliest possible age;

(3) Children who are deaf or hard of hearing are entitled to their parents' or guardians' full and informed participation in their educational planning;

(4) Children who are deaf or hard of hearing benefit from interaction with adult role models who are deaf or hard of hearing;

(5) Children who are deaf or hard of hearing benefit from interacting with their deaf, hard of hearing, and hearing peers;

(6) Children who are deaf or hard of hearing are entitled to qualified teachers, interpreters, and resource personnel who communicate effectively with each child in that child's preferred mode of communication;

(7) Children who are deaf or hard of hearing are entitled to placement best suited to each child's individual needs, including but not limited to social, emotional, and cultural needs, with consideration for the child's age, degree of hearing loss, academic level, mode of communication, style of learning, motivational level, and amount of family support;

(8) Children who are deaf or hard of hearing are entitled to individual considerations for free, appropriate education across a full spectrum of educational programs;

(9) Children who are deaf or hard of hearing are entitled to full support services provided by qualified professionals in their educational settings;

(10) Children who are deaf or hard of hearing are entitled to full access to all programs in their educational settings;

(11) Children who are deaf or hard of hearing are entitled to have the public fully informed concerning medical, cultural, and linguistic issues of deafness and hearing loss;

(12) Children who are deaf or hard of hearing benefit by having deaf and hard of hearing adults involved in determining the extent, content, and purpose of programs that affect their education; and

(13) Children who are deaf or hard of hearing are entitled to free and unrestricted communication with others who communicate in their same language mode. The child's preferred mode of communication should be respected in order to attain the highest education possible for that individual in an appropriate environment; and

BE IT FURTHER RESOLVED that notwithstanding any of the above principles, nothing in this resolution shall require:

(1) Individual school districts to ensure the availability of a specific number of deaf or hard of hearing peers;  
or

(2) Parents to abrogate their statutory rights to educational choice; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for each member of the Missouri Congressional Delegation.

**Special Committee on Retirement**, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 2055**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 2056**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on State Parks and Waterways**, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 1715**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1886**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Workforce Development and Workplace Safety**, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 2041**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass - Federal Mandate**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1314**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1348**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1384**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1410**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1463**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1466**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1490**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1532**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1570**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1572**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1574**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1608**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1640**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1711**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1806**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1972**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1973**, begs leave to report it has examined the same and recommends that it **Do Pass - Consent**.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 71**, introduced by Representatives Fisher, Jetton, LeVota, Day, Denison, Schlottach, Tilley, Norr, Page, Burnett, Munzlinger, Ruzicka, Swinger, Wright, Stream, Franz, Nance, Bruns, Sater, Meadows, Moore, Casey, May, Jones (117), Quinn (7), Threlkeld, Viebrock, Aull, Witte, Fallert, George, Darrough, Salva, Wildberger, Scavuzzo, Harris (110) and Curls, relating to the Missouri Veterans' Commission.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2222**, introduced by Representative Smith (14), relating to the hero at home program.

**HB 2223**, introduced by Representative Pratt, relating to assault of an employee of a mass transit system while in the scope of his or her duties.

**HB 2224**, introduced by Representatives Jones (117), Nance, Kelly, St. Onge, El-Amin, Jones (89), Meadows and Nasheed, relating to continuing education requirements for peace officers.

**HB 2225**, introduced by Representatives Robb, Dixon, Lampe, Silvey, Kingery, Cooper (155), Muschany, Corcoran, Cunningham (86), Hunter, McGhee, Todd, Stream, Hughes, Aull and Zimmerman, relating to state funding for elementary and secondary education.

**HB 2226**, introduced by Representative Muschany, relating to the income tax deduction for contributions to the Missouri higher education savings program.

**HB 2227**, introduced by Representatives Wilson (130), Nance, Nieves, Page, Ruestman, McGhee and Bruns, relating to impounding vehicles.

**HB 2228**, introduced by Representatives Wilson (130), McGhee and Funderburk, relating to registration of home inspectors.

**HB 2229**, introduced by Representatives Page and Schaaf, relating to health benefits coverage for ancillary medical services.

**HB 2230**, introduced by Representatives Page, Talboy, Hughes, Norr, Darrough, Burnett, Donnelly, McClanahan, Chappelle-Nadal, Storch, Weter and Avery, relating to immunizations against the human papillomavirus.

**HB 2231**, introduced by Representative Cooper (120), relating to ethics.

**HB 2232**, introduced by Representative Cooper (120), relating to excursion gambling boats.

**HB 2233**, introduced by Representatives Page, LeVota, Talboy, Portwood, Silvey and Roorda, relating to prohibited acts by public officials and employees.

**HB 2234**, introduced by Representatives Page, Talboy, Flook and Portwood, relating to a tax exemption for motor fuel used for school buses.

**HB 2235**, introduced by Representatives Komo, Darrough, Wildberger, Casey, George, McClanahan, Hodges and Lampe, relating to the joint committee on terrorism, bioterrorism, and homeland security.

**HB 2236**, introduced by Representatives Komo, Darrough, Wildberger, Casey, George, Schieffer and Lampe, relating to audits by the office of administration.

**HB 2237**, introduced by Representatives Komo, Schieffer and Hodges, relating to illegal aliens.

**HB 2238**, introduced by Representatives Schad, Fisher, Smith (150), Thomson, Nance, Denison, Loehner, Deeken, Viebrock, Kelly, Quinn (7), Jones (117), Wilson (130), May, Wood, Parson, Scharnhorst and Stevenson, relating to hunting wild turkeys without affixing a safety sticker to the shotgun.

**HB 2239**, introduced by Representative Stevenson, relating to transfer fee covenants for real property.

**HB 2240**, introduced by Representative Stevenson, relating to transparency in health communications.

**HB 2241**, introduced by Representative Stevenson, relating to court procedure.

**HB 2242**, introduced by Representatives Cooper (155), Guest, Jones (117), Deeken, Wallace, Bivins, Kingery, Harris (110), Ruestman, Sater, Funderburk, Whorton and Sander, relating to actions for damages for coerced subcutaneous implantation of an identification device.

**HB 2243**, introduced by Representatives Curls, Tilley, Baker (25), Pratt, LeVota, Page, McClanahan, Robb, Hubbard, Avery, Yates, Jetton, Oxford, Lowe (44), Low (39), Lampe, Chappelle-Nadal, Bland, Talboy, Fallert, Hughes, Grisamore, Walton, Rucker, Haywood, Swinger, Skaggs, Nolte, Fisher, Scharnhorst, Stevenson, May, Threlkeld, Schoemehl, Walsh, Zweifel, Meadows, Komo, Salva, Kingery, Deeken, Pollock, Bruns, Storch, Bringer and Harris (23), relating to fibromyalgia.

**HB 2244**, introduced by Representative Page, relating to pain treatment.

**HB 2245**, introduced by Representatives Robb, Bivins, Sater, Cunningham (86) and Bruns, relating to fire protection district board powers.

**HB 2246**, introduced by Representatives Robb, Bivins, Ruestman and Sutherland, relating to corporate income tax.

**HB 2247**, introduced by Representatives Nolte, Silvey, Kraus and Pratt, relating to transportation sales taxes.

**HB 2248**, introduced by Representatives Deeken, Ruestman, Dougherty, Whorton, Lowe (44), Lipke, Walsh, Ruzicka, Moore and Oxford, relating to the use of credit scores by insurance companies.

**HB 2249**, introduced by Representative Onder, relating to a tax credit for qualified research costs.

**HB 2250**, introduced by Representatives Sutherland, Kraus, Spreng and Lampe, relating to energy efficient products.

**HB 2251**, introduced by Representative St. Onge, relating to commercial driver's licenses.

**HB 2252**, introduced by Representative St. Onge, relating to commercial driver's licenses.

**HB 2253**, introduced by Representative St. Onge, relating to transportation.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 718**, entitled:

An act to repeal sections 32.105, 135.815, 135.967, 620.495, 620.1878, and 620.1881, RSMo, and to enact in lieu thereof seven new sections relating to certain programs administered by the department of economic development.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 762**, entitled:

An act to repeal section 160.775, RSMo, and to enact in lieu thereof one new section relating to anti-bullying policies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1038**, entitled:

An act to repeal sections 130.016, 130.021, 130.037, 130.050 and 130.072, RSMo, and section 130.032 as enacted by conference committee substitute no. 2 for house substitute for house committee substitute for senate committee substitute for senate bill no. 16, eighty-ninth general assembly, first regular session, and section 130.032 as enacted by conference committee substitute for senate substitute for house committee substitute for house bill no. 1900, ninety-third general assembly, second regular session, and to enact in lieu thereof six new sections relating to campaign finance, with an emergency clause.

Emergency clause defeated.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Bland.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, February 25, 2008.



## COMMITTEE MEETINGS

### BUDGET

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 3.

Appropriation committee reports.

Executive session may follow.

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, February 26, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1488, HB 1567, HB 1571

### HIGHER EDUCATION

Tuesday, February 26, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1912, HB 1479

### INTERIM COMMITTEE ON THE SECOND INJURY FUND

Wednesday, February 27, 2008, 1:00 p.m. Hearing Room 7.

Second Injury Fund information meeting for self-insured employers and group trusts.

### JUDICIARY

Tuesday, February 26, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1725, HB 1778, HB 1991, HJR 61

### RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 26, 2008, 9:00 a.m. House Lounge.

Executive session may follow.

Public hearings to be held on: HCR 8, HCR 19, HCR 23, HB 1368,

HB 1689, HB 2055, HCS HB 2056, HB 1886, HCS HB 2058, HCS HB 2041

### SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HJR 49, HJR 52, HJR 66

### SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Monday, February 25, 2008, 2:30 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2064, HB 2065, HB 2066, HB 2081, HB 2082

### SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow. AMENDED

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Tuesday, February 26, 2008, 3:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1476, HB 2078, HB 2117

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 27, 2008, 1:00 p.m.

Public Service Commission, Governor Building,

200 Madison Street, Jefferson City, MO.

Informational hearing. Presentation by Edison Electric, "State of the Electric Industry".

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 2094

**TRANSPORTATION**

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1937, HB 1977, HJR 67

**HOUSE CALENDAR**

TWENTY-SIXTH DAY, MONDAY, FEBRUARY 25, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 71

**HOUSE BILLS FOR SECOND READING**

HB 2222 through HB 2253

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1371 - Wilson (119)
- 2 HCS HBs 1595 & 1668 - Swinger
- 3 HCS HB 1619 - Jones (117)
- 4 HB 1678 - Day
- 5 HCS HB 1763 - Parson
- 6 HCS HB 1779 - Emery
- 7 HB 1911 - Muschany
- 8 HB 1970 - Wasson
- 9 HB 1806 - Schaaf
- 10 HCS HB 1314 - Cunningham (86)

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/19/08)

- 1 HCS HB 1309 - Day
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach

(2/25/08)

- 1 HB 1348 - Portwood
- 2 HB 1384 - Cox
- 3 HB 1410 - Flook
- 4 HB 1490 - Deeken
- 5 HB 1532 - Davis
- 6 HB 1570 - Franz
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1711 - Weter
- 12 HB 1972 - Franz
- 13 HB 1973 - Franz

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1310 - Hoskins
- 2 HB 1406 - Deeken
- 3 HB 1450 - Roorda
- 4 HCS HB 1774, E.C. - Wallace

**SENATE BILLS FOR SECOND READING**

- 1 SS SCS SB 718
- 2 SB 762
- 3 SB 1038

**HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-SIXTH DAY, MONDAY, FEBRUARY 25, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Sovereign God, You are unchangeable and inexhaustible, great and mighty, faithful and true. By You we enjoy a place of liberty, comfort, safety and freedom. For this we are most grateful.

Lord God, we seek to set an example first by invoking Your blessing over this great assembly and then by lending ourselves and all at our disposal to be used of You for the betterment of this state and it's people.

Lord God, may You meet our, almost certain, complaints with patience, our frustrations with peace, and our accomplishments with pleasure. But, in spite of it all, we remain thankful.

Now, Lord God, please, if we have found grace in Your sight, guide us clearly along the path You want us to travel, this week, so that we may understand Your plan and live satisfactorily before You.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Alana Mary Bernskoetter and Isaac Laseter.

Speaker Pro Tem Pratt assumed the Chair.

The Journal of the twenty-fifth day was approved as corrected by the following vote:

AYES: 128

Aull	Avery	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Icet	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany

Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Mr Speaker		

NOES: 003

Daus	Talboy	Vogt
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PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 025

Baker 25	Baker 123	Bland	Cooper 155	Corcoran
Donnelly	Dusenberg	Grisamore	Harris 23	Hughes
Hunter	Johnson	Jones 89	McClanahan	Meadows
Page	Pearce	Rucker	Scharnhorst	Schneider
Stevenson	St. Onge	Walton	Yates	Zweifel

VACANCIES: 005

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 780 through House Resolution No. 807

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 71** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2222** through **HB 2253** were read the second time.

## SECOND READING OF SENATE BILLS

**SS SCS SB 718**, **SB 762** and **SB 1038** were read the second time.

## PERFECTION OF HOUSE BILLS

**HB 1970**, relating to civil actions against auto dealers, was taken up by Representative Wasson.

Representative Wasson offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Bill No. 1970, Page 1, Section 407.1373, Line 9, by inserting at the end of said line the following:

**"No provision in this section shall prohibit a person from pursuing against a manufacturer or seller of a new or used automobile any claim not arising under Chapter 407.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 1** was adopted.

On motion of Representative Wasson, **HB 1970, as amended**, was ordered perfected and printed.

**HCS HBs 1595 & 1668**, relating to a tax credit for storm shelters, was taken up by Representative Swinger.

On motion of Representative Swinger, **HCS HBs 1595 & 1668** was adopted.

On motion of Representative Swinger, **HCS HBs 1595 & 1668** was ordered perfected and printed.

**THIRD READING OF HOUSE BILLS - CONSENT**

**HCS HB 1774**, relating to the public school retirement system, was taken up by Representative Wallace.

On motion of Representative Wallace, **HCS HB 1774** was read the third time and passed by the following vote:

AYES: 142

Aull	Avery	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard

Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Schieffer	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 25	Baker 123	Bland	Corcoran	Donnelly
Harris 23	Hughes	Meadows	Page	Rucker
Scharnhorst	Schlottach	Schneider	St. Onge	Threlkeld
Zweifel				

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 136

Avery	Bivins	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Schieffer	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	Storch	Stream
Sutherland	Talboy	Thomson	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood

Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Aull	Baker 25	Baker 123	Bland	Corcoran
Curls	Donnelly	Guest	Harris 23	Hughes
Lowe 44	Meadows	Page	Rucker	Scharnhorst
Schlottach	Schneider	St. Onge	Swinger	Threlkeld
Young	Zweifel			

VACANCIES: 005

**HB 1406**, relating to a drunk driving memorial sign program, was taken up by Representative Deeken.

On motion of Representative Deeken, **HB 1406** was read the third time and passed by the following vote:

AYES: 082

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Daus
Day	Deeken	Denison	Dethrow	Dixon
El-Amin	Ervin	Faith	Fallert	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hoskins	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Ruestman	Ruzicka	Salva	Sater	Schaaf
Schad	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stream	Sutherland	Thomson
Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 051

Aull	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Curls	Davis	Dougherty	Emery
Fares	Frame	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hubbard	Johnson
Komo	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meiners	Norr	Oxford
Quinn 9	Robinson	Roorda	Scavuzzo	Schoemehl
Shively	Skaggs	Stevenson	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh



Wildberger Zimmerman	Witte	Wright-Jones	Yaeger	Young
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PRESENT: 004

Darrough	Schieffer	Spreng	Whorton
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ABSENT WITH LEAVE: 021

Avery	Baker 25	Baker 123	Bland	Corcoran
Donnelly	Dusenberg	Harris 23	Hughes	Low 39
Meadows	Page	Robb	Rucker	Sander
Scharnhorst	Schneider	St. Onge	Threlkeld	Yates
Zweifel				

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

**HB 1310**, relating to elections for independent candidates, was taken up by Representative Hoskins.

On motion of Representative Hoskins, **HB 1310** was read the third time and passed by the following vote:

AYES: 096

Bivins	Brandom	Brown 30	Brown 50	Bruns
Burnett	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Funderburk	George	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Lampe
Lembke	LeVota	Lipke	Loehner	Lowe 44
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Portwood	Pratt
Quinn 7	Richard	Robinson	Ruestman	Ruzicka
Salva	Sater	Schaaf	Schad	Schlottach
Schoeller	Schoemehl	Self	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Stream	Swinger
Thomson	Tilley	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wood	Wright 159	Wright-Jones	Young
Mr Speaker				

NOES: 040

Aull	Bringer	Casey	Chappelle-Nadal	Daus
Dusenberg	Fallert	Flook	Frame	Franz
Grill	Harris 110	Haywood	Hodges	Holsman
Komo	Kraus	Kuessner	McClanahan	Nasheed
Norr	Oxford	Pollock	Quinn 9	Roorda
Scavuzzo	Schieffer	Shively	Storch	Sutherland

Talboy	Todd	Viebrock	Vogt	Whorton
Wilson 130	Witte	Yaeger	Yates	Zimmerman

PRESENT: 002

Liese Spreng

ABSENT WITH LEAVE: 020

Avery	Baker 25	Baker 123	Bland	Cooper 120
Corcoran	Donnelly	Harris 23	Hughes	Low 39
Meadows	Page	Robb	Rucker	Sander
Scharnhorst	Schneider	St. Onge	Threlkeld	Zweifel

VACANCIES: 005

Speaker Pro Tem Pratt declared the bill passed.

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 2051** - Corrections and Public Institutions

### RE-REFERRAL OF HOUSE BILL

The following House Bill was re-referred to the Committee indicated:

**HB 2117** - Special Committee on Urban Issues

### COMMITTEE REPORTS

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1722**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1876** and **HB 1877**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1550**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Health Insurance**, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 1341**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2254**, introduced by Representatives Quinn (7), Pratt, Schoeller, Icet, Hunter, Loehner, Sander, Richard, Hobbs, Viebrock, Fisher, Munzlinger, McGhee, Ruestman, Jones (117), Lembke, May, Kingery, Bivins, Smith (14), Grisamore and Wallace, relating to conservation commission advisory board.

**HB 2255**, introduced by Representatives Guest, Franz, Emery, Thomson and Vogt, relating to the work for restitution program.

**HB 2256**, introduced by Representatives Schaaf and Dougherty, relating to medical malpractice insurance.

**HB 2257**, introduced by Representatives Bruns and Wildberger, relating to reduced ignition propensity cigarettes.

### MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

February 25, 2008

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
94th GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **House Bill No. 2019** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the University of Missouri, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, from the funds designated for the fiscal period ending June 30, 2008.

On February 25, 2008, Lieutenant Governor Peter Kinder, while serving as Acting Governor, with my permission approved said **House Bill No. 2019**.

Respectfully submitted,

/s/ Matt Blunt  
Governor

The following member's presence was noted: Meadows.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, February 26, 2008.

### **CORRECTION TO THE HOUSE JOURNAL**

#### **AFFIDAVIT**

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 302 of the House Journal for February 21, 2008 was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 25th day of February 2008.

/s/ Jane Cunningham (86)  
State Representative

State of Missouri       )  
                                  ) ss.  
County of Cole        )

Subscribed and sworn to before me this 25th day of February in the year 2008.

/s/ Carrie Young  
Notary Public

### **COMMITTEE MEETINGS**

#### **BUDGET**

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 3.  
Appropriation committee reports.  
Executive session may follow.

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, February 26, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1488, HB 1567, HB 1571

#### **HEALTH CARE POLICY**

Tuesday, February 26, 2008, 12:00 p.m. Hearing Room 5.  
Executive session may follow.  
Public hearings to be held on: HB 1790, HB 1546, HB 1472

HIGHER EDUCATION

Tuesday, February 26, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1912, HB 1479

INTERIM COMMITTEE ON THE SECOND INJURY FUND

Wednesday, February 27, 2008, 1:00 p.m. Hearing Room 7.

Second Injury Fund information meeting for self-insured employers and group trusts.

JUDICIARY

Tuesday, February 26, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1725, HB 1778, HB 1991, HJR 61

RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, February 26, 2008, 2:30 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 8, HCR 19, HCR 23, HB 1368,  
HB 1689, HB 2055, HCS HB 2056, HB 1886, HCS HB 2058, HCS HB 2041

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, February 26, 2008, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 1956

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, February 26, 2008, 2:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1499, HB 2135

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 27, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1611, HB 1989, HB 1946, HB 1949

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HJR 49, HJR 52, HJR 66

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 1.

The committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, February 27, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1836, HB 1981

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow. CANCELLED

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, February 27, 2008, 9:00 a.m. Hearing Room 6.

Executive session.

**SPECIAL COMMITTEE ON TOURISM**

Tuesday, March 4, 2008, 9:00 a.m. House Lounge.

Joint Committee on Tourism.

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Tuesday, February 26, 2008, 3:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1476, HB 2078, HB 2117

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Informational hearing will continue at Public Service Commission at 1:00pm.

Presentation by Edison Electric. AMENDED

Public hearings to be held on: HB 1963, HB 2147

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, February 26, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1788, HB 1882

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2094, HB 1477, HB 1851

**TRANSPORTATION**

Tuesday, February 26, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1937, HB 1977, HJR 67

## **HOUSE CALENDAR**

TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 26, 2008

### **HOUSE BILLS FOR SECOND READING**

HB 2254 through HB 2257

### **HOUSE BILLS FOR PERFECTION**

- 1 HB 1371 - Wilson (119)
- 2 HCS HB 1619 - Jones (117)
- 3 HB 1678 - Day
- 4 HCS HB 1763 - Parson
- 5 HCS HB 1779 - Emery
- 6 HB 1911 - Muschany
- 7 HB 1806 - Schaaf
- 8 HCS HB 1314 - Cunningham (86)

### **HOUSE BILLS FOR PERFECTION - CONSENT**

(2/19/08)

- 1 HCS HB 1309 - Day
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach

(2/25/08)

- 1 HB 1348 - Portwood
- 2 HB 1384 - Cox
- 3 HB 1410 - Flook
- 4 HB 1490 - Deeken
- 5 HB 1532 - Davis
- 6 HB 1570 - Franz
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1711 - Weter
- 12 HB 1972 - Franz
- 13 HB 1973 - Franz

**HOUSE BILL FOR THIRD READING - CONSENT**

HB 1450 - Roorda

**HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-SEVENTH DAY, TUESDAY, FEBRUARY 26, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

"All you winds bless the Lord;  
praise and exalt him above all forever."  
*(Daniel 3:65)*

Almighty God, we meet here as the representatives of the people of our State. As we serve them, we ask for Your guidance. Help us to truly represent them and not simply ourselves. May the true needs of the people and the common good of all be our concern.

May the wind of Your Holy Spirit visit us and grant us the light of true wisdom, that we may discern Your will in the important matters before us, and allow it to become our will. Then, O Lord, we will be able to serve the people so faithfully that we are in truth serving You.

We praise you, Almighty God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Autumn Wilson, Donald Wilson, Elijah Wilson, Stephen Wilson, Ezra Wilson, Livia Wilson, Jonah Wilson, Phillip Wilson, Kendar Perrine, Dalton Williams, Nick Puleo, Marie Clark and Gabrielle Pirrie.

The Journal of the twenty-sixth day was approved as corrected by the following vote:

AYES: 139

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Ice	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh

May	McGhee	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Daus	Donnelly	Lowe 44	Talboy	Vogt
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PRESENT: 001

George

ABSENT WITH LEAVE: 013

Baker 123	Bland	Darrough	Hobbs	Hughes
Hunter	McClanahan	Meadows	Moore	Sander
Self	Walton	Wright-Jones		

VACANCIES: 005

## SPECIAL RECOGNITION

Congressman Sam Graves was introduced by Representative Thomson and recognized as an Outstanding Missourian.

## COMMUNICATIONS FROM THE SECRETARY OF STATE

TO THE CHIEF CLERK OF THE MISSOURI HOUSE

Adam Crumbliss  
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 158<sup>th</sup> Legislative District in the State of Missouri, on the 5<sup>th</sup> day of February, 2008, as provided by law, the following named person was elected to the office of State Representative, 158<sup>th</sup> Legislative District as shown by the election results certified to this office by the election authorities of the 158<sup>th</sup> Legislative District.

### Name

Mary C. Kasten  
2825 Bloomfield Rd., Unit 104  
Cape Girardeau, MO 63703

### Office

State Representative  
158<sup>th</sup> Legislative District

IN WITNESS WHEREOF, I have hereunto set  
my hand and affixed the seal of my office this  
25<sup>th</sup> day of February, 2008.

/s/ Robin Carnahan  
Secretary of State

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TO THE CHIEF CLERK OF THE MISSOURI HOUSE  
Adam Crumbliss  
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 65<sup>th</sup> Legislative District in the State of Missouri, on the 5<sup>th</sup> day of February, 2008, as provided by law, the following named person was elected to the office of State Representative, 65<sup>th</sup> Legislative District as shown by the election results certified to this office by the election authorities of the 65<sup>th</sup> Legislative District.

**Name**

**Office**

Michele Kratky  
6001 Bishops Place  
St. Louis, MO 63109

State Representative  
65<sup>th</sup> Legislative District

IN WITNESS WHEREOF, I have hereunto set  
my hand and affixed the seal of my office this  
25<sup>th</sup> day of February, 2008.

/s/ Robin Carnahan  
Secretary of State

---

TO THE CHIEF CLERK OF THE MISSOURI HOUSE  
Adam Crumbliss  
Jefferson City, MO

Sir:

I, Robin Carnahan, Secretary of State of the State of Missouri, hereby certify that at the Special Election held in the 16<sup>th</sup> Legislative District in the State of Missouri, on the 5<sup>th</sup> day of February, 2008, as provided by law, the following named person was elected to the office of State Representative, 16<sup>th</sup> Legislative District as shown by the election results certified to this office by the election authorities of the 16<sup>th</sup> Legislative District.

**Name**

**Office**

Mark Parkinson  
3429 Indiana Ave.  
St. Charles, MO 63303

State Representative  
16<sup>th</sup> Legislative District

IN WITNESS WHEREOF, I have hereunto set  
My hand and affixed the seal of my office this  
25<sup>th</sup> day of February, 2008.

/s/ Robin Carnahan  
Secretary of State

## OATH OF OFFICE

Representatives-elect Mary Kasten, Michele Kratky and Mark Parkinson advanced to the bar and subscribed to the oath of office, which was administered by the Honorable Rod Jetton, Speaker of the Missouri House of Representatives.

Speaker Pro Tem Pratt assumed the Chair.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 808 through House Resolution No. 824

## HOUSE CONCURRENT RESOLUTIONS

Representative Frame, et al., offered House Concurrent Resolution No. 28.  
Representative Loehner offered House Concurrent Resolution No. 29.

## SECOND READING OF HOUSE BILLS

**HB 2254** through **HB 2257** were read the second time.

## PERFECTION OF HOUSE BILLS

**HB 1911**, relating to teacher certification, was taken up by Representative Muschany.

**HB 1911** was laid over.

**HCS HB 1314**, relating to protections for school children, was taken up by Representative Cunningham (86).

Representative Cunningham (86) offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1314, Section 160.261, Page 7, Line 193, by inserting immediately after the word "**record**" the following:

**"by the children's division under paragraph (c) of subdivision (2) of subsection 1 of section 210.152, RSMo"; and**

Further amend said bill, page, and section, Line 205, by inserting immediately after the word "**record**" the following:

**"by the children's division under paragraph (c) of subdivision (2) of subsection 1 of section 210.152, RSMo"; and**

Further amend said bill, Section 162.068, Page 9, Line 29, by inserting immediately after the word "**children**" the following:

**"receives allegations of sexual misconduct concerning the employee"; and**

Further amend said bill, section, and page, Line 30, by deleting the words "**because of allegations of sexual misconduct**"; and

Further amend said bill, Section 162.069, Page 10, Line 23, by deleting all of said line and inserting in lieu thereof the following:

**"such site is available to school administrators and parents."**; and

Further amend said bill, Page 17, Section 168.133, Line 40, by deleting the comma "," after the first occurrence of the word "**check**" and inserting immediately after the second occurrence of the word "**check.**" the following:

**"The provisions of this subsection shall become effective January 1, 2012."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cunningham (86), **House Amendment No. 1** was adopted.

On motion of Representative Cunningham (86), **HCS HB 1314, as amended**, was adopted.

On motion of Representative Cunningham (86), **HCS HB 1314, as amended**, was ordered perfected and printed.

**HB 1371**, relating to rural empowerment zones, was taken up by Representative Wilson (119).

Representative McClanahan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1371, Page 2, Section 135.903, Line 18, by deleting:

"sixteen" and replacing it with "twenty-five".

Representative Hodges offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Bill No. 1371, Page 2, Section 135.903, Line 18, by deleting:

"sixteen" and replacing it with "forty-one".

Representative Flook offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Amendment No. 1*  
to  
*House Substitute Amendment No. 1*  
for  
*House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Bill No. 1371, Page 1, Line 4, by deleting the word, "forty-one" and inserting in lieu thereof the word, "eighteen"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** is not a true amendment to the substitute amendment.

The Chair ruled the point of order not well taken.

On motion of Representative Flook, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Nance
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr. Speaker				

NOES: 062

Baker 25	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch

Swinger	Talboy	Todd	Villa	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Bland	Harris 23	Haywood	Hughes
Marsh	Muschany	Nieves	Robb	Vogt
Wallace	Wright-Jones	Zweifel		

VACANCIES: 002

On motion of Representative Hodges, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 138

Avery	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Mr. Speaker		

NOES: 011

Bringer	Darrough	Frame	George	Low 39
Meiners	Oxford	Roorda	Schoemehl	Talboy
Wildberger				

PRESENT: 000

ABSENT WITH LEAVE: 012

Aull	Bland	Harris 23	Haywood	Hughes
Marsh	Muschany	Robb	Vogt	Wallace
Wright-Jones	Zweifel			

VACANCIES: 002

Representative Wildberger offered **House Amendment No. 2**.

Representative Flook raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Wilson (119), **HB 1371, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HBs 1595 & 1668** - Fiscal Review  
**HB 2106** - Health Care Policy

### **RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was re-referred to the Committee indicated:

**HCR 18** - Special Committee on Job Creation and Economic Development

### **ADVANCEMENT OF CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 1309, HB 1416, and HB 1824**.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2258**, introduced by Representative Pollock, relating to the appointment of the state water patrol commissioner.

**HB 2259**, introduced by Representatives Brandom, Nance, Smith (14), Grill, Hodges, Hobbs and Quinn (7), relating to tax credits for donations to senior citizen services centers.



**HB 2260**, introduced by Representatives Storch, Hubbard, Page, Skaggs, Burnett, Hughes, LeVota, Zweifel, Donnelly, Chappelle-Nadal, Funderburk, Grill, Schlottach, Flook, Nasheed, Parson, Wasson, Cunningham (145), Komo, Silvey, Curls, Lampe, Fallert, Rucker, Holsman, Roorda, Johnson, Vogt, Avery, Zimmerman, Richard, Corcoran, Brown (50), Norr, Schoeller, St. Onge, Wildberger, Pratt and Spreng, relating to tax credits for qualified research expenses.

**HB 2261**, introduced by Representatives Sander, Quinn (7), Munzlinger, Dougherty, Hobbs, Jones (117), Parson, Self, Cooper (155), Dethrow, Cox, McGhee and Schoeller, relating to public firearms ranges.

**HB 2262**, introduced by Representatives Frame, Wildberger, Schieffer, Page, Darrough, Oxford, Talboy, Lampe, Meadows, Roorda, Casey, Fallert, Darrough, Zimmerman, Harris (110) and Spreng, relating to elections.

**HB 2263**, introduced by Representatives Frame, Wildberger, Schieffer, Page, Darrough, Talboy, Lampe, Meadows, Roorda, Komo, Casey, Fallert, Harris (110) and Spreng, relating to security freezes.

**HB 2264**, introduced by Representatives Grisamore, Avery, Franz, Pratt, McGhee, Silvey, Schneider, Moore, Sander, Zimmerman, Storch, Oxford, Grill, Talboy, Low (39) and Darrough, relating to child care.

**HB 2265**, introduced by Representatives Grisamore, Pratt, Scharnhorst, Schieffer, Oxford, Meiners, Dougherty and Roorda, relating to health insurance coverage for autism spectrum disorder.

**HB 2266**, introduced by Representatives Jones (89), Holsman, Tilley, Robb, Thomson and Jones (117), relating to the Missouri teaching fellows program.

The following members' presence was noted: Bland, Harris (23) and Wright-Jones.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, February 27, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

### **AFFIDAVIT**

I, State Representative Joe Aull, District 26, hereby state and affirm that my vote as recorded on Page 319 of the House Journal for February 25, 2008 was incorrectly recorded as absent with leave on the vote to adopt the emergency clause for HCS HB 1744 as third read and passed by the House. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of February 2008.

/s/ Joe Aull  
State Representative

State of Missouri                 )  
  ) ss.  
County of Miller                 )

Subscribed and sworn to before me this 26th day of February in the year 2008.

/s/ Megan Limbach  
Notary Public

## **COMMITTEE MEETINGS**

### **BUDGET**

Wednesday, February 27, 2008, 8:15 a.m. Hearing Room 3.  
Appropriation Committee Reports.  
Executive session may follow.  
Public hearing to be held on: HJR 70

### **BUDGET**

Thursday, February 28, 2008, 8:15 a.m. Hearing Room 3.  
Appropriation Committee Reports.  
Executive session may follow.  
Public hearing to be held on: HJR 70

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, February 27, 2008, 5:00 p.m. Hearing Room 5.  
Executive session may follow.  
Public hearings to be held on: HJR 44, HB 1374

### **HEALTH CARE POLICY**

Wednesday, February 27, 2008, 2:00 p.m. Hearing Room 5.  
Executive session.

### **INSURANCE POLICY**

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearing to be held on: HB 1535

### **INTERIM COMMITTEE ON THE SECOND INJURY FUND**

Wednesday, February 27, 2008, 1:00 p.m. Hearing Room 7.  
Second Injury Fund information meeting for self-insured employers and group trusts.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH-OVERSIGHT SUBCOMMITTEE**

Thursday, February 28, 2008, 8:00 a.m., Senate Committee Room 2.  
Public hearing to be held on: SB 904

LOCAL GOVERNMENT

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1867, HB 2150

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, February 27, 2008, 12:30 p.m. North Gallery.

EMERGENCY MEETING.

Executive session may follow.

Public hearing to be held on: HCS HB 2014

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, February 27, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow. CORRECTED NOTICE

Public hearings to be held on: HB 1611, HB 1989, HB 1946, HB 1945

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 1.

The committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Executive session may follow.

SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, February 27, 2008, 5:00 p.m. Hearing Room 7.

Executive session will be held.

SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT

Wednesday, February 27, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1836, HB 1981

SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING

Thursday, February 28, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1792

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT

Wednesday, February 27, 2008, South Gallery morning adjournment.

Executive session.

SPECIAL COMMITTEE ON SMALL BUSINESS

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 2129

SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT

Wednesday, February 27, 2008, 9:00 a.m. Hearing Room 6.

Executive session.

**SPECIAL COMMITTEE ON TOURISM**

Tuesday, March 4, 2008, 9:00 a.m. House Lounge.

Joint Committee on Tourism.

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Informational hearing will continue at Public Service Commission at 1:00 pm.

Presentation by Edison Electric. AMENDED

Public hearings to be held on: HB 1963, HB 2147

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, February 27, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2094, HB 1477, HB 1851

**HOUSE CALENDAR**

TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 27, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2258 through HB 2266

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1619 - Jones (117)
- 2 HB 1678 - Day
- 3 HCS HB 1763 - Parson
- 4 HCS HB 1779 - Emery
- 5 HB 1911 - Muschany
- 6 HB 1806 - Schaaf

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/25/08)

- 1 HB 1348 - Portwood
- 2 HB 1384 - Cox
- 3 HB 1410 - Flook
- 4 HB 1490 - Deeken
- 5 HB 1532 - Davis
- 6 HB 1570 - Franz
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin

- 10 HB 1640 - Schoeller
- 11 HB 1711 - Weter
- 12 HB 1972 - Franz
- 13 HB 1973 - Franz

**HOUSE BILLS FOR THIRD READING**

- 1 HB 1970 - Wasson
- 2 HCS HBs 1595 & 1668, (Fiscal Review 2-26-08) - Swinger

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HCS HB 1309 - Day
- 3 HB 1416 - Nance
- 4 HB 1824 - Schlottach

**HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet

# **JOURNAL OF THE HOUSE**

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-EIGHTH DAY, WEDNESDAY, FEBRUARY 27, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God Almighty, You are our shelter, our defense, a guard who surrounds us; our glory, the one who holds our head high.

As each day is unpredictable and each moment brings another challenge, You are the stability of our day. So we remind ourselves of Your abiding presence.

As we move into this day, help us to serve without pretense; detesting what is false, clinging to what is true. May we willingly confer with one another, in honor giving preference to one another. May we serve with humility and not be wise in our own opinion.

Now Lord God, strengthen and make us what we ought to be and equip us with everything good that we may carry out Your will for this day; while You work in us and accomplish that which is pleasing in Your sight.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Sara Schueller, Konner Settles, Makayla Johnson, Jacob Pickett, Shayna Stuckey, Ally Dedmon, Whitney Smith and Britney Anderson.

The Journal of the twenty-seventh day was approved as printed.

## **SPECIAL RECOGNITION**

The University of Missouri-Columbia "Mizzou" Tigers Football Team was introduced by Speaker Jetton and Representatives Baker (25), Hobbs, Robb and Rucker and recognized for their performance during the 2007-2008 season and for winning the AT&T Cotton Bowl in Dallas, Texas on January 1, 2008.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 825 through House Resolution No. 852

**SECOND READING OF HOUSE BILLS**

**HB 2258** through **HB 2266** were read the second time.

**THIRD READING OF HOUSE BILL - CONSENT**

**HCS HB 1309**, relating to temporary driver's permits, was taken up by Representative Day.

On motion of Representative Day, **HCS HB 1309** was read the third time and passed by the following vote:

AYES: 150

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kasten	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Cooper 120	El-Amin	Harris 23	Haywood
Kelly	Lipke	Oxford	Quinn 9	Robinson
Vogt				

VACANCIES: 002

Speaker Jetton declared the bill passed.

Speaker Pro Tem Pratt assumed the Chair.

### PERFECTION OF HOUSE BILLS

**HCS HB 1763**, relating to petition circulators, was taken up by Representative Parson.

Representative Low (39) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1763, Page 1, Section 116.080, Lines 6-7, by deleting the words "**, receive any signature by mail or via the Internet,**"; and

Further amend said bill, Page 1, said section, Line 7, by deleting the word "**concurrently**" and inserting in lieu thereof the word "**simultaneously**"; and

Further amend said bill, Page 1, said section, Lines 11-12, by deleting the following:

**", received any signature by mail or via the Internet,"**; and

Further amend said bill, Page 1, said section, Line 12, by deleting the word "**concurrently**" and inserting in lieu thereof the word "**simultaneously**"; and

Further amend said bill, Page 2, said section, Line 17, by deleting the following:

**"and proof of United States citizenship"**; and

Further amend said bill, Page 2, said section, Lines 36-37, by deleting the following:

**", RECEIVE ANY SIGNATURE BY MAIL OR VIA THE INTERNET,"**; and

Further amend said bill, Page 2, said section, Line 38, by deleting the word "**CONCURRENTLY**" and inserting the word "**SIMULTANEOUSLY**"; and

Further amend said bill, Page 2, said section, Lines 45-46, by deleting the following:

**", receives any signature by mail or via the Internet,"**; and

Further amend said bill, Page 2, said section, Line 46, by deleting the word "**concurrently**" and inserting in lieu thereof the word "**simultaneously**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Low (39), **House Amendment No. 1** was adopted.

Representative Storch offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1763, Page 3, Section 116.080, Line 49, by adding one new section:



"116.090. 1. Any person who **knowingly** signs any name other than his or her own to any petition [,or] **shall, upon conviction thereof be guilty of a class one election offense, as defined in section 115.631 RSMo.**

**2. Any person** who knowingly signs his or her name more than once for the same measure for the same election, or who knows he or she is not at the time of signing or circulating the same a Missouri registered voter and a resident of this state, shall, upon conviction thereof, be guilty of a class A misdemeanor punishable, notwithstanding the provisions of section [560.021] **560.016**, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both.

[2.] **3.** Any person who knowingly accepts or offers money or anything of value to another person in exchange for a signature on a petition is guilty of a class A misdemeanor punishable, notwithstanding the provisions of section [560.021] **560.016**, RSMo, to the contrary, for a term of imprisonment not to exceed one year in the county jail or a fine not to exceed ten thousand dollars or both."; and

Further amend title and enacting clause accordingly.

On motion of Representative Storch, **House Amendment No. 2** was adopted.

On motion of Representative Parson, **HCS HB 1763, as amended**, was adopted.

On motion of Representative Parson, **HCS HB 1763, as amended**, was ordered perfected and printed.

**HB 1678**, relating to education for military children, was taken up by Representative Day.

On motion of Representative Day, **HB 1678** was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1371** - Fiscal Review (Fiscal Note)

**HB 1678** - Fiscal Review (Fiscal Note)

### **COMMITTEE REPORTS**

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1790**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1469**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1983**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Energy and Environment**, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 1326**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 41**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1880**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 1836**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 1512**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 8**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 19**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 23**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1368**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1689**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1886**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2014**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2041**, begs leave to report it has examined the same and recommends that it **Do Pass - Federal Mandate**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2055**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2056**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2058**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2267**, introduced by Representatives LeVota and Darrough, relating to failure to report illegal conduct of pharmacists or other health care professionals.

**HB 2268**, introduced by Representative Portwood, relating to Christian Science nurses.

**HB 2269**, introduced by Representative Nasheed, relating to misuse of emergency telephone service.

**HB 2270**, introduced by Representatives Roorda, Meadows, Wildberger, Bivins, Portwood, Zimmerman, Hodges and George, relating to traffic control signal violations.

**HB 2271**, introduced by Representatives Roorda, Wildberger, Talboy, Bruns, Page, Meadows, Casey, Donnelly and George, relating to health benefits for surviving spouses and children of certain public safety employees.

**HB 2272**, introduced by Representatives Wright-Jones, Hubbard, Chappelle-Nadal, Lampe, Talboy, Zweifel, Page, Donnelly, Lowe (44), Zimmerman, McClanahan, George, Brown (50), El-Amin, Oxford, Bland, Norr, Komo, Daus, Hughes, Walton, Nasheed, Vogt, Wildberger, Aull, Dougherty, Corcoran, Johnson, Low (39), Storch, Wallace, Harris (23), Baker (25), Guest, Curls, Fares, Darrough, Frame, Haywood, Meiners, Young, Burnett, Holsman, Hoskins, Marsh, Walsh, Skaggs and Rucker, relating to reducing the number of abortions in the state through the prevention first act.

**HB 2273**, introduced by Representatives Stevenson and Witte, relating to the Missouri uniform trust code.

**HB 2274**, introduced by Representatives Munzlinger and Sander, relating to tax incentives for certain energy uses.

**HB 2275**, introduced by Representative Johnson, relating to forensic examinations.

**HB 2276**, introduced by Representatives Bivins, Dougherty, Jones (89), Nieves, Ruestman, Page, Avery, Moore, Yaeger, Lembke and Emery, relating to property taxation.

**HB 2277**, introduced by Representatives Bivins, Lembke and Cunningham (86), relating to fire protection district tax rates.

**HB 2278**, introduced by Representatives Pearce, Day, Baker (123), Onder, Kingery, Munzlinger, Wallace, Dougherty, Wilson (119), Ruestman, Fisher, Dusenberg, Stevenson, Schad, Bivins and Frame, relating to waiver of a NICS background check for certain persons purchasing firearms.

**HB 2279**, introduced by Representatives Wright, Emery, Fisher, Schoeller, Zimmerman and Kraus, relating to gas corporations.

**HB 2280**, introduced by Representative Cunningham (86), relating to instructional costs at public institutions of higher education.

**HB 2281**, introduced by Representative Cunningham (86), relating to professional association dues of school administrators.

**HB 2282**, introduced by Representative Ervin, relating to health insurance.

**HB 2283**, introduced by Representatives Cunningham (145), Schoeller, Loehner, Munzlinger, Self, Quinn (7), Wasson, Fisher, Robb, Day, Pollock, Wilson (119), Hobbs, Dethrow, Weter, Wells, Moore, Schlottach, Franz, Kelly, Wallace, Richard, Schad, May, Sander, Brandom, Parson, Smith (150), Faith and Guest, relating to misbranding of food.

**HB 2284**, introduced by Representatives Meadows, Page, Portwood, Young, Oxford, Talboy, Moore, Lowe (44), Casey, Schieffer, Corcoran and Deeken, relating to van accessible parking spaces.

**HB 2285**, introduced by Representative Meadows, relating to probation and parole services.

**HB 2286**, introduced by Representatives Yates, Richard, Muschany, Kraus, Dusenberg, Wallace, Faith, Avery, Fisher, Nance, Dixon, Wasson and McGhee, relating to the uninsured motorists.

The following members' presence was noted: Cooper (120), Harris (23), Haywood, Oxford, Quinn (9) and Vogt.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, February 28, 2008.

### **COMMITTEE MEETINGS**

#### **BUDGET**

Thursday, February 28, 2008, 8:15 a.m. Hearing Room 3.  
Appropriation Committee Reports.  
Executive session may follow.  
Public hearing to be held on: HJR 70

#### **FISCAL REVIEW**

Thursday, February 28, 2008, House Chamber side gallery upon morning adjournment.  
All bills referred to this committee.

#### **HIGHER EDUCATION**

Tuesday, March 4, 2008, 5:00 p.m. Hearing Room 1.  
Executive session may follow.  
Public hearing to be held on: HB 1596

#### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH, OVERSIGHT SUBCOMMITTEE**

Thursday, February 28, 2008, 8:00 a.m. Senate Committee Room 2.  
Public hearing to be held on: SB 904

#### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, February 28, 2008, Hearing Room 6 upon morning adjournment.  
Executive session may follow.  
Public hearings to be held on: HCS HB 1690, HCS HB 1715,  
HCS HB 1423, HCS HB 1722, HCS HB 1341, HB 1934, HCR 7

#### **SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, March 4, 2008, 8:30 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 1910, HB 1804, HB 1866, HB 2115, HB 1466

#### **SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, February 28, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearing to be held on: HB 1792

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 2129

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Thursday, February 28, 2008, Hearing Room 7 upon morning adjournment.

Executive session.

**SPECIAL COMMITTEE ON TOURISM**

Tuesday, March 4, 2008, 9:00 a.m. House Lounge.

Joint Committee on Tourism.

**TRANSPORTATION**

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HCR 15, HB 1500, HB 1646, HB 1887

**HOUSE CALENDAR**

TWENTY-NINTH DAY, THURSDAY, FEBRUARY 28, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2267 through HB 2286

**HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 2014 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1619 - Jones (117)
- 2 HCS HB 1779 - Emery
- 3 HB 1911 - Muschany
- 4 HB 1806 - Schaaf

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/25/08)

- 1 HB 1348 - Portwood
- 2 HB 1384 - Cox
- 3 HB 1410 - Flook
- 4 HB 1490 - Deeken
- 5 HB 1532 - Davis
- 6 HB 1570 - Franz
- 7 HB 1572 - Franz

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- 8        HB 1574 - Jones (117)
- 9        HB 1608 - Ervin
- 10       HB 1640 - Schoeller
- 11       HB 1711 - Weter
- 12       HB 1972 - Franz
- 13       HB 1973 - Franz

(2/28/08)

- 1        HB 1368 - Thomson
- 2        HB 1689 - Wilson (130)
- 3        HB 2055 - Viebrock
- 4        HCS HB 2056 - Viebrock

**HOUSE BILLS FOR THIRD READING**

- 1        HB 1970 - Wasson
- 2        HCS HBs 1595 & 1668, (Fiscal Review 2-26-08) - Swinger
- 3        HCS HB 1314 - Cunningham (86)
- 4        HB 1371, (Fiscal Review 2-27-08) - Wilson (119)
- 5        HCS HB 1763 - Parson
- 6        HB 1678, (Fiscal Review 2-27-08) - Day

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1        HB 1450 - Roorda
- 2        HB 1416 - Nance
- 3        HB 1824 - Schlottach

**HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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TWENTY-NINTH DAY, THURSDAY, FEBRUARY 28, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we praise and thank You for all the talents and abilities with which You have endowed us in our human nature. You have given us the ability to discern what is true and right and just.

And You teach us: "To do what is right and just is more acceptable to the Lord than sacrifice," (*Proverbs 21:3*).

Give us the ability to discern what is right and just and true as we listen to testimony, study the bills and proposals before us, and discuss and debate the issues in this assembly and in committees.

Then Lord, give us the courage to do what is right and just, that our work may be acceptable to You.

To You be glory and honor, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lana Ali Sater and Tkhu "Lina" Fi.

The Journal of the twenty-eighth day was approved as corrected.

## SPECIAL RECOGNITION

Roger Wehrli was introduced by Representatives Guest and Faith and recognized as an Outstanding Missourian.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 853 through House Resolution No. 879

## HOUSE CONCURRENT RESOLUTIONS

Representative Emery, et al., offered House Concurrent Resolution No. 30.

Representative Low (39), et al., offered House Concurrent Resolution No. 31.



**SECOND READING OF HOUSE BILLS**

**HB 2267** through **HB 2286** were read the second time.

Representative Richard assumed the Chair.

**THIRD READING OF HOUSE BILLS**

**HB 1970**, relating to civil actions against auto dealers, was taken up by Representative Wasson.

On motion of Representative Wasson, **HB 1970** was read the third time and passed by the following vote:

AYES: 113

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hoskins	Hubbard	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Richard
Robb	Robinson	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Spreng	Stevenson	Stream
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 037

Bland	Burnett	Chappelle-Nadal	Curls	Darrough
Donnelly	Fallert	Flook	Frame	Harris 23
Haywood	Hodges	Holsman	Hughes	Johnson
Komo	Kratky	Low 39	Lowe 44	Meadows
Roorda	Rucker	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Vogt	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Cunningham 145	Daus	Lipke	Oxford
Quinn 7	Quinn 9	Scavuzzo	St. Onge	Thomson
Young				

VACANCIES: 002

Representative Richard declared the bill passed.

**HCS HB 1763**, relating to petition circulators, was taken up by Representative Parson.

On motion of Representative Parson, **HCS HB 1763** was read the third time and passed by the following vote:

AYES: 107

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Cooper 120	Corcoran
Cox	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	El-Amin
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nieves
Nolte	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Storch	Stream	Sutherland	Tilley
Viebrock	Villa	Vogt	Wallace	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Zweifel	Mr Speaker			

NOES: 041

Bland	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cunningham 86	Curls	Dusenberg	Emery	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	McClanahan
Muschany	Nasheed	Norr	Sander	Schieffer
Skaggs	Stevenson	Swinger	Talboy	Threlkeld
Todd	Walsh	Walton	Wright-Jones	Yates
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 25	Cunningham 145	Daus	Donnelly
Lipke	Oxford	Quinn 7	Quinn 9	Scavuzzo
St. Onge	Thomson	Young		

VACANCIES: 002

Representative Richard declared the bill passed.

**HCS HB 1314**, relating to protections for school children, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS HB 1314** was read the third time and passed by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 006

Brown 50	Burnett	Holsman	Hughes	Johnson
Talboy				

PRESENT: 002

Roorda	Vogt
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ABSENT WITH LEAVE: 014

Avery	Cunningham 145	Daus	Donnelly	Lipke
Lowe 44	Oxford	Quinn 7	Quinn 9	Scavuzzo
St. Onge	Thomson	Walton	Young	

VACANCIES: 002

Representative Richard declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 12** - Special Committee on General Laws  
**HCR 25** - Special Committee on Small Business  
**HCR 26** - Elementary and Secondary Education  
**HCR 27** - Special Committee on Senior Citizen Advocacy

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 68** - Ways and Means  
**HJR 69** - Special Committee on Energy and Environment  
**HJR 71** - Special Committee on Veterans

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1300** - Special Committee on Health Insurance  
**HB 1301** - Special Committee on Financial Institutions  
**HB 1323** - Crime Prevention and Public Safety  
**HB 1328** - Health Care Policy  
**HB 1329** - Transportation  
**HB 1336** - Local Government  
**HB 1337** - Local Government  
**HB 1361** - Special Committee on Professional Registration and Licensing  
**HB 1388** - Crime Prevention and Public Safety  
**HB 1389** - Conservation and Natural Resources  
**HB 1394** - Special Committee on Immigration  
**HB 1395** - Special Committee on Immigration  
**HB 1396** - Crime Prevention and Public Safety  
**HB 1397** - Crime Prevention and Public Safety  
**HB 1399** - Special Committee on Workforce Development and Workplace Safety  
**HB 1400** - Elementary and Secondary Education  
**HB 1401** - Elementary and Secondary Education

**HB 1402** - Crime Prevention and Public Safety  
**HB 1403** - Crime Prevention and Public Safety  
**HB 1413** - Crime Prevention and Public Safety  
**HB 1414** - Health Care Policy  
**HB 1421** - Crime Prevention and Public Safety  
**HB 1427** - Special Committee on Family Services  
**HB 1428** - Special Committee on Health Insurance  
**HB 1432** - Judiciary  
**HB 1433** - Crime Prevention and Public Safety  
**HB 1436** - Crime Prevention and Public Safety  
**HB 1443** - Crime Prevention and Public Safety  
**HB 1444** - Crime Prevention and Public Safety  
**HB 1445** - Crime Prevention and Public Safety  
**HB 1449** - Crime Prevention and Public Safety  
**HB 1454** - Judiciary  
**HB 1458** - Crime Prevention and Public Safety  
**HB 1459** - Transportation  
**HB 1462** - Special Committee on Financial Institutions  
**HB 1475** - Ways and Means  
**HB 1487** - Crime Prevention and Public Safety  
**HB 1492** - Transportation  
**HB 1502** - Crime Prevention and Public Safety  
**HB 1503** - Crime Prevention and Public Safety  
**HB 1509** - Special Committee on Financial Institutions  
**HB 1513** - Crime Prevention and Public Safety  
**HB 1520** - Health Care Policy  
**HB 1536** - Crime Prevention and Public Safety  
**HB 1548** - Ways and Means  
**HB 1555** - Special Committee on Agri-business  
**HB 1556** - Special Committee on Family Services  
**HB 1557** - Special Committee on Health Insurance  
**HB 1559** - Special Committee on Workforce Development and Workplace Safety  
**HB 1560** - Crime Prevention and Public Safety  
**HB 1563** - Transportation  
**HB 1564** - Transportation  
**HB 1565** - Health Care Policy  
**HB 1566** - Crime Prevention and Public Safety  
**HB 1569** - Local Government  
**HB 1577** - Higher Education  
**HB 1586** - Local Government  
**HB 1589** - Transportation  
**HB 1591** - Crime Prevention and Public Safety  
**HB 1592** - Crime Prevention and Public Safety  
**HB 1593** - Crime Prevention and Public Safety  
**HB 1597** - Special Committee on Energy and Environment  
**HB 1601** - Special Committee on Healthcare Transformation  
**HB 1604** - Higher Education

**HB 1605** - Transportation  
**HB 1607** - Local Government  
**HB 1621** - Judiciary  
**HB 1622** - Judiciary  
**HB 1630** - Crime Prevention and Public Safety  
**HB 1632** - Special Committee on Workforce Development and Workplace Safety  
**HB 1634** - Special Committee on Professional Registration and Licensing  
**HB 1637** - Crime Prevention and Public Safety  
**HB 1638** - Crime Prevention and Public Safety  
**HB 1641** - Judiciary  
**HB 1644** - Special Committee on Tax Reform  
**HB 1653** - Transportation  
**HB 1659** - Special Committee on Veterans  
**HB 1660** - Special Committee on Job Creation and Economic Development  
**HB 1664** - Transportation  
**HB 1666** - Special Committee on Energy and Environment  
**HB 1676** - Elementary and Secondary Education  
**HB 1677** - Special Committee on Retirement  
**HB 1685** - Special Committee on Financial Institutions  
**HB 1686** - Ways and Means  
**HB 1692** - Elementary and Secondary Education  
**HB 1705** - Local Government  
**HB 1709** - Health Care Policy  
**HB 1714** - Ways and Means  
**HB 1718** - Special Committee on Small Business  
**HB 1726** - Elementary and Secondary Education  
**HB 1728** - Judiciary  
**HB 1729** - Special Committee on Energy and Environment  
**HB 1731** - Special Committee on Workforce Development and Workplace Safety  
**HB 1732** - Special Committee on Workforce Development and Workplace Safety  
**HB 1745** - Elementary and Secondary Education  
**HB 1746** - Crime Prevention and Public Safety  
**HB 1747** - Special Committee on Government Affairs  
**HB 1753** - Special Committee on Health Insurance  
**HB 1758** - Special Committee on Family Services  
**HB 1759** - Crime Prevention and Public Safety  
**HB 1760** - Elections  
**HB 1765** - Special Committee on General Laws  
**HB 1768** - Special Committee on Workforce Development and Workplace Safety  
**HB 1780** - Transportation  
**HB 1783** - Special Committee on Veterans  
**HB 1784** - Special Committee on Veterans  
**HB 1786** - Transportation  
**HB 1791** - Special Committee on Professional Registration and Licensing  
**HB 1794** - Special Committee on Government Affairs  
**HB 1798** - Conservation and Natural Resources  
**HB 1799** - Judiciary

**HB 1800** - Transportation  
**HB 1807** - Elementary and Secondary Education  
**HB 1808** - Special Committee on Workforce Development and Workplace Safety  
**HB 1809** - Special Committee on Financial Institutions  
**HB 1813** - Special Committee on Veterans  
**HB 1814** - Crime Prevention and Public Safety  
**HB 1816** - Special Committee on Healthcare Transformation  
**HB 1819** - Transportation  
**HB 1826** - Crime Prevention and Public Safety  
**HB 1827** - Special Committee on Professional Registration and Licensing  
**HB 1828** - Ways and Means  
**HB 1829** - Health Care Policy  
**HB 1833** - Special Committee on General Laws  
**HB 1839** - Special Committee on Family Services  
**HB 1841** - Transportation  
**HB 1842** - Special Committee on Energy and Environment  
**HB 1853** - Judiciary  
**HB 1855** - Crime Prevention and Public Safety  
**HB 1858** - Special Committee on Workforce Development and Workplace Safety  
**HB 1861** - Special Committee on Energy and Environment  
**HB 1868** - Special Committee on Healthcare Transformation  
**HB 1872** - Special Committee on Workforce Development and Workplace Safety  
**HB 1879** - Health Care Policy  
**HB 1881** - Conservation and Natural Resources  
**HB 1883** - Special Committee on Rural Community Development  
**HB 1885** - Judiciary  
**HB 1892** - Special Committee on Energy and Environment  
**HB 1894** - Judiciary  
**HB 1895** - Transportation  
**HB 1898** - Judiciary  
**HB 1899** - Judiciary  
**HB 1900** - Judiciary  
**HB 1902** - Special Committee on Retirement  
**HB 1903** - Conservation and Natural Resources  
**HB 1905** - Transportation  
**HB 1907** - Crime Prevention and Public Safety  
**HB 1914** - Health Care Policy  
**HB 1921** - Judiciary  
**HB 1922** - Special Committee on Family Services  
**HB 1926** - Ways and Means  
**HB 1930** - Judiciary  
**HB 1931** - Special Committee on Agri-business  
**HB 1932** - Special Committee on Agri-business  
**HB 1940** - Special Committee on Healthcare Transformation  
**HB 1941** - Agriculture Policy  
**HB 1944** - Judiciary  
**HB 1949** - Special Committee on Homeland Security

**HB 1950** - Special Committee on Professional Registration and Licensing  
**HB 1952** - Transportation  
**HB 1954** - Special Committee on Government Affairs  
**HB 1955** - Ways and Means  
**HB 1958** - Local Government  
**HB 1961** - Special Committee on Government Affairs  
**HB 1962** - Crime Prevention and Public Safety  
**HB 1964** - Special Committee on Financial Institutions  
**HB 1967** - Local Government  
**HB 1974** - Transportation  
**HB 1975** - Special Committee on General Laws  
**HB 1976** - Special Committee on Professional Registration and Licensing  
**HB 1978** - Judiciary  
**HB 1980** - Crime Prevention and Public Safety  
**HB 1984** - Special Committee on Family Services  
**HB 1985** - Special Committee on Financial Institutions  
**HB 1988** - Elementary and Secondary Education  
**HB 1993** - Special Committee on Health Insurance  
**HB 1994** - Special Committee on Energy and Environment  
**HB 1996** - Judiciary  
**HB 1997** - Crime Prevention and Public Safety  
**HB 1999** - Transportation  
**HB 2026** - Local Government  
**HB 2029** - Special Committee on General Laws  
**HB 2030** - Judiciary  
**HB 2033** - Special Committee on Healthcare Transformation  
**HB 2034** - Conservation and Natural Resources  
**HB 2035** - Ways and Means  
**HB 2038** - Special Committee on Workforce Development and Workplace Safety  
**HB 2039** - Conservation and Natural Resources  
**HB 2044** - Transportation  
**HB 2045** - Local Government  
**HB 2046** - Transportation  
**HB 2047** - Local Government  
**HB 2053** - Special Committee on General Laws  
**HB 2054** - Crime Prevention and Public Safety  
**HB 2057** - Special Committee on Professional Registration and Licensing  
**HB 2060** - Corrections and Public Institutions  
**HB 2062** - Special Committee on Veterans  
**HB 2073** - Crime Prevention and Public Safety  
**HB 2074** - Crime Prevention and Public Safety  
**HB 2075** - Health Care Policy  
**HB 2076** - Special Committee on Health Insurance  
**HB 2092** - Judiciary  
**HB 2093** - Transportation  
**HB 2095** - Crime Prevention and Public Safety  
**HB 2096** - Special Committee on Financial Institutions



**HB 2100** - Special Committee on Health Insurance  
**HB 2104** - Special Committee on Retirement  
**HB 2109** - Special Committee on Student Achievement  
**HB 2111** - Special Committee on Student Achievement  
**HB 2112** - Special Committee on Tax Reform  
**HB 2113** - Crime Prevention and Public Safety  
**HB 2114** - Elections  
**HB 2116** - Special Committee on General Laws  
**HB 2118** - Special Committee on Family Services  
**HB 2119** - Crime Prevention and Public Safety  
**HB 2120** - Crime Prevention and Public Safety  
**HB 2124** - Elementary and Secondary Education  
**HB 2125** - Special Committee on Energy and Environment  
**HB 2126** - Local Government  
**HB 2134** - Special Committee on Financial Institutions  
**HB 2142** - Special Committee on Family Services  
**HB 2143** - Special Committee on Family Services  
**HB 2144** - Special Committee on Senior Citizen Advocacy  
**HB 2149** - Special Committee on Health Insurance  
**HB 2151** - Special Committee on Immigration  
**HB 2155** - Special Committee on Utilities  
**HB 2156** - Special Committee on Job Creation and Economic Development  
**HB 2157** - Crime Prevention and Public Safety  
**HB 2158** - Elementary and Secondary Education  
**HB 2159** - Special Committee on Student Achievement  
**HB 2164** - Ways and Means  
**HB 2165** - Ways and Means  
**HB 2166** - Judiciary  
**HB 2167** - Agriculture Policy  
**HB 2168** - Crime Prevention and Public Safety  
**HB 2169** - Transportation  
**HB 2170** - Transportation  
**HB 2171** - Local Government  
**HB 2172** - Transportation  
**HB 2173** - Special Committee on Financial Institutions  
**HB 2175** - Special Committee on Financial Institutions  
**HB 2178** - Special Committee on Tax Reform  
**HB 2180** - Special Committee on Healthcare Transformation  
**HB 2188** - Special Committee on Financial Institutions  
**HB 2189** - Special Committee on Tax Reform  
**HB 2191** - Special Committee on Student Achievement  
**HB 2194** - Judiciary  
**HB 2196** - Conservation and Natural Resources  
**HB 2198** - Special Committee on Health Insurance  
**HB 2199** - Ways and Means  
**HB 2200** - Judiciary  
**HB 2204** - Special Committee on Retirement

**HB 2205** - Judiciary  
**HB 2206** - Special Committee on State Parks and Waterways  
**HB 2208** - Special Committee on Tax Reform  
**HB 2210** - Judiciary  
**HB 2213** - Elementary and Secondary Education  
**HB 2214** - Transportation  
**HB 2217** - Special Committee on Professional Registration and Licensing  
**HB 2221** - Ways and Means  
**HB 2222** - Special Committee on Veterans  
**HB 2223** - Crime Prevention and Public Safety  
**HB 2224** - Crime Prevention and Public Safety  
**HB 2226** - Special Committee on Student Achievement  
**HB 2227** - Crime Prevention and Public Safety  
**HB 2228** - Special Committee on Professional Registration and Licensing  
**HB 2229** - Special Committee on Health Insurance  
**HB 2230** - Special Committee on Health Insurance  
**HB 2231** - Elections  
**HB 2233** - Local Government  
**HB 2234** - Elementary and Secondary Education  
**HB 2239** - Judiciary  
**HB 2240** - Special Committee on Healthcare Transformation  
**HB 2243** - Health Care Policy  
**HB 2244** - Health Care Policy  
**HB 2247** - Local Government  
**HB 2250** - Ways and Means  
**HB 2255** - Special Committee on Health Insurance  
**HB 2283** - Special Committee on Agri-business

### COMMITTEE REPORTS

#### **Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1371** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 1595 & 1668** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1678** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

#### **Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HJR 70**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HCS HB 1463**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 1626**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 1419**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 1616**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 2065**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 2081**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1706**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1707**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 1886**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 1426**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 1942**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1518**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HJR 43**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 7**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1332**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1341**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1423**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1649**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1722**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 72**, introduced by Representative Schoemehl, relating to school district bond elections.

**HJR 73**, introduced by Representatives Emery, Lembke, Bivins, Scharnhorst, Smith (14) and Nieves, relating to appointment of judges.

### **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were read the first time and copies ordered printed:

**HB 2001**, introduced by Representative Icet, to appropriate money to the Board of Fund Commissioners for the cost of issuing and processing State Water Pollution Control Bonds, Stormwater Control Bonds, Third State Building Bonds, and Fourth State Building Bonds, as provided by law, to include payments from the Water Pollution Control Bond and Interest Fund, Stormwater Control Bond and Interest Fund, Third State Building Bond Interest and Sinking Fund, Fourth State Building Bond and Interest Fund, Water Pollution Control Fund, and Stormwater Control Fund, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2002**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2003**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2287**, introduced by Representatives Harris (23), Nasheed and Darrough, relating to sex offenders in public city or municipal parks.

**HB 2288**, introduced by Representatives Harris (23), Daus and Roorda, relating to campaign contributions.

**HB 2289**, introduced by Representative Lembke, relating to fees for the technology trust fund account.

**HB 2290**, introduced by Representatives Lembke, Bivins, Avery, Davis, Portwood, Icet, Muschany, Funderburk, Fares, Onder, Jones (89), Walton and Scharnhorst, relating to federal economic stimulus payments.

**HB 2291**, introduced by Representatives Lembke, Avery, Bivins, Portwood, Icet, Muschany, Jones (89), Walton and Scharnhorst, relating to county assessors.

**HB 2292**, introduced by Representatives Faith, Pollock, Wells, Schoeller, Funderburk and Cox, relating to automated photo red light enforcement systems.

**HB 2293**, introduced by Representatives Faith, Ruestman, Moore, Dethrow, Lampe, Nance, Harris (110), Whorton, Wilson (119), Page, Dusenberg, Stevenson and Meiners, relating to an income tax check-off for contributions to the Breast Cancer Awareness Trust Fund.

**HB 2294**, introduced by Representative Curls, relating to the Martin Luther King, Jr., National Memorial Project.

**HB 2295**, introduced by Representatives Jones (89), Cunningham (145) and Richard, relating to lenders.

**HB 2296**, introduced by Representatives Robb, Thomson, Quinn (7), Wallace, Bivins, Sander and Viebrock, relating to the Access Missouri Financial Assistance Program.

**HB 2297**, introduced by Representatives Dougherty, Darrough, Schneider, Oxford, Young, Spreng and Funderburk, relating to designation of an official state beer.

**HB 2298**, introduced by Representatives Emery, Cunningham (86), St. Onge, Faith, Schoeller, Bivins, Lembke and Schad, relating to the public service commission.

**HB 2299**, introduced by Representative Aull, relating to private mental health facilities and group homes.

**HB 2300**, introduced by Representative Aull, relating to insurance premium rates.

**HB 2301**, introduced by Representatives Hunter and Scharnhorst, for the purpose of clarifying Missouri Bar membership.

**HB 2302**, introduced by Representative Hunter, relating to the second injury fund.

**HB 2303**, introduced by Representatives Donnelly, Jones (89), Zweifel, Johnson, Talboy, Vogt, Nasheed, Lembke, Curls, Storch and Witte, relating to the Missouri sunshine law.

**HB 2304**, introduced by Representatives Lampe, Grisamore, Wallace, Sater, Weter, Roorda, Frame, McClanahan, Burnett, Talboy, Todd, George, Norr, Darrough, Brown (50), Zimmerman, Schoemehl, Hodges, Grill, Funderburk, Chappelle-Nadal, Liese, Wright-Jones, Haywood, Nasheed, Low (39), Skaggs, Curls, Fallert, Rucker, Spreng, Walsh, Johnson, Lowe (44), Storch, Hughes, Swinger, Vogt, Meiners, Salva, Schieffer, Casey, Jones (117), Zweifel, Shively, Robinson, Fisher, McGhee, Ruzicka and LeVota, relating to the identification, assessment, education, and services, for handicapped and severely handicapped students in public school districts.

**HB 2305**, introduced by Representatives Lampe, Talboy, Todd, George, Norr, Yaeger, Kratky, Schoemehl, Zimmerman, Brown (50), Chappelle-Nadal, Hodges, Komo, Liese, Haywood, Wright-Jones, Kuessner, Nasheed, Curls, Fallert, Spreng, Darrough, Lowe (44), Johnson, Storch, Hughes, Swinger, Vogt, Meiners, Salva, Schieffer, Casey, Zweifel, Shively, Robinson, McGhee, Schoeller, Jones (89) and LeVota, relating to the paper reduction act.

**HB 2306**, introduced by Representatives Baker (25), Norr, Oxford, George, Darrough, Schoemehl, Funderburk, Scharnhorst, LeVota, Nasheed, Bivins, Roorda and Curls, relating to teenage drivers.

**HB 2307**, introduced by Representatives Schad, Franz and Jones (117), relating to the appointment of the state water patrol commissioner.

**HB 2308**, introduced by Representative Hunter, relating to workers.

**HB 2309**, introduced by Representative Hunter, relating to workers' compensation.

**HB 2310**, introduced by Representative Hunter, relating to the second injury fund.

**HB 2311**, introduced by Representative Hunter, relating to workers' compensation.

**HB 2312**, introduced by Representatives Holsman and Oxford, relating to public financing of certain election campaigns.

**HB 2313**, introduced by Representatives Hobbs, Fisher, Sater, Wilson (119), Munzlinger and Moore, relating to the MO HealthNet oversight commission.

**HB 2314**, introduced by Representatives Hobbs, Cunningham (145), Munzlinger, Wilson (119), Witte, Jones (117), Dethrow and Quinn (9), relating to the issuance of driver's licenses to individuals who have religious objections to having their photograph taken and maintained by the department of revenue.

**HB 2315**, introduced by Representative Lampe, relating to public school teachers.

**HB 2316**, introduced by Representative Lampe, relating to cyberbullying.

**HB 2317**, introduced by Representative Lampe, relating to professional educators' standards and practices.

**HB 2318**, introduced by Representatives Lampe and Stream, relating to teaching standards.

**HB 2319**, introduced by Representatives Loehner, Schlottach, Hobbs, Smith (150), Dethrow, Kelly, Schad, Nance, Franz, Day, Parson, Sutherland, Self, Jones (117), Munzlinger, May, Wallace, Sander and Witte, relating to a livestock feed and crop input loan guarantee program.

**HB 2320**, introduced by Representatives Nolte, Dixon, Wilson (130), Silvey, Smith (150), Avery, Parkinson, Kraus, Sander, Nance, Wilson (119), Dusenberg, Dougherty, Onder, Wallace, Ruestman, Self, Hobbs, Fisher, Davis, McGhee, Brown (30), Wasson, Sater and Page, relating to illegal aliens.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 711**, entitled:

An act to repeal sections 52.240, 67.110, 135.010, 135.025, 135.030, 137.055, 137.073, 137.082, 137.180, 137.245, 137.275, 137.335, 137.355, 137.375, 137.390, 137.490, 137.510, 137.515, 137.720, 138.050, 138.090, 138.170, 138.180, 138.380, 138.395, 138.430, 139.031, 139.052, 163.044, and 164.151, RSMo, and to enact in lieu thereof thirty-one new sections relating to property taxation, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1066**, entitled:

An act to repeal sections 160.254, 160.530, and 168.021, RSMo, and to enact in lieu thereof four new sections relating solely to teacher certification.

In which the concurrence of the House is respectfully requested.

## COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Cooper (155) is no longer a member of the Special Committee on Family Services

Representative Franz has been appointed a member of the Crime Prevention and Public Safety Committee.

Representative Kasten has been appointed a member of the Higher Education Committee and the Special Committee on Family Services.

Representative Onder is no longer a member of the Crime Prevention and Public Safety Committee and the Transportation Committee.

Representative Parkinson has been appointed a member of the Special Committee on Financial Institutions, Special Committee on Tax Reform, and the Transportation Committee.

Representative Pratt is no longer a member of the Special Committee on Tax Reform.

Representative Self is no longer a member of the Higher Education Committee.



## WITHDRAWAL OF HOUSE CONCURRENT RESOLUTION

February 28, 2008

Chief Clerk Adam Crumbliss  
Missouri House of Representatives  
Room 306, Capitol Building  
Jefferson City, MO 65101

Dear Chief Clerk Crumbliss:

I would like to respectfully request that **House Concurrent Resolution No. 10** regarding protection of airline customers be withdrawn.

Thank you in advance for your cooperation with this matter.

Sincerely,

/s/ Dwight Scharnhorst  
Representative, 93<sup>rd</sup> District

The following member's presence was noted: Cunningham (145).

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Friday, February 29, 2008.

## CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Twenty-eighth Day, Wednesday, February 27, 2008, Page 344, Line 2, by deleting the words, "or her" and inserting in lieu thereof the words, "**or her**".

## COMMITTEE MEETINGS

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1852, HB 1515, HB 1516, HB 1777

### ELECTIONS

Tuesday, March 4, 2008, 8:15 a.m. Hearing Room 5.

Executive session will precede the hearing.

Public hearings to be held on: HJR 54, HB 1674

### HIGHER EDUCATION

Tuesday, March 4, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1596, HB 2048

INTERIM COMMITTEE ON THE SECOND INJURY FUND

Wednesday, March 5, 2008, 1:30 p.m. Hearing Room 7.

Second Injury Fund information meeting for self-insured employers and group trusts.

JUDICIARY

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1360, HB 1460, HB 1497, HB 1587, HB 2132, HCR 17

RULES - PURSUANT TO RULE 25(21)(f)

Monday, March 3, 2008, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1805, HB 1422, HB 1983, HB 1469, HB 1358,

HCS HB 1836, HCS HJR 43, HCS HJR 41, HCS HB 1326, HCS HB 1518, HCS HB 1512

SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS

Tuesday, March 4, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1910, HB 1804, HB 1866, HB 2115, HB 1466

SPECIAL COMMITTEE ON SMALL BUSINESS

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 2129

SPECIAL COMMITTEE ON TAX REFORM

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 2190

SPECIAL COMMITTEE ON TOURISM

Tuesday, March 4, 2008, 9:00 a.m. House Lounge.

Joint Committee on Tourism.

TRANSPORTATION

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HCR 15, HB 1500, HB 1646, HB 1887

WAYS AND MEANS

Monday, March 3, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session.

**HOUSE CALENDAR**

THIRTIETH DAY, FRIDAY, FEBRUARY 29, 2008

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 72 and HJR 73

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

HB 2001 through HB 2003

**HOUSE BILLS FOR SECOND READING**

HB 2287 through HB 2320

**HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 2014 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1619 - Jones (117)
- 2 HCS HB 1779 - Emery
- 3 HB 1911 - Muschany
- 4 HB 1806 - Schaaf

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/25/08)

- 1 HB 1348 - Portwood
- 2 HB 1384 - Cox
- 3 HB 1410 - Flook
- 4 HB 1490 - Deeken
- 5 HB 1532 - Davis
- 6 HB 1570 - Franz
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1711 - Weter
- 12 HB 1972 - Franz
- 13 HB 1973 - Franz

(2/28/08)

- 1 HB 1368 - Thomson
- 2 HB 1689 - Wilson (130)
- 3 HB 2055 - Viebrock
- 4 HCS HB 2056 - Viebrock

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HBs 1595 & 1668 - Swinger
- 2 HB 1371 - Wilson (119)
- 3 HB 1678 - Day

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach

**SENATE BILLS FOR SECOND READING**

- 1 SS SCS SB 711
- 2 SB 1066

**HOUSE BILL WITH SENATE AMENDMENTS**

SS SCS HB 2020 - Icet

# **JOURNAL OF THE HOUSE**

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTIETH DAY, FRIDAY, FEBRUARY 29, 2008

The House met pursuant to adjournment.

Representative Deeken in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## **SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 72** and **HJR 73** were read the second time.

## **SECOND READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 2001** through **HB 2003** were read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 2287** through **HB 2320** were read the second time.

## **SECOND READING OF SENATE BILLS**

**SS SCS SB 711** and **SB 1066** were read the second time.

## **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2001** - Budget

**HB 2002** - Budget

**HB 2003** - Budget

### ADVANCEMENT OF HOUSE CONSENT BILLS

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1348, HB 1384, HB 1410, HB 1490, HB 1532, HB 1570, HB 1572, HB 1574, HB 1608, HB 1640, HB 1711, HB 1972** and **HB 1973**.

### INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2321**, introduced by Representative Dixon, relating to voter registration for hunting and fishing permit applicants.

**HB 2322**, introduced by Representative Hubbard, relating to paternity determinations.

**HB 2323**, introduced by Representatives Hubbard, El-Amin, Faith, Grill, Robinson, Nasheed, Hoskins, Rucker, Brown (50), Jetton, Nieves, Pratt, Jones (117), Nance, Smith (150), Wallace, Wilson (130), Parson, Franz, Flook, Schlottach, Kingery, Cooper (120), Curls, Daus, Hughes, Wilson (119), Cunningham (145) and Dixon, relating to services for victims of child abuse.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 723**, entitled:

An act to repeal sections 43.060 and 590.030, RSMo, and to enact in lieu thereof two new sections relating to educational requirements for certain law enforcement personnel.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 753, 728, 906 & 1026**, entitled:

An act to amend chapter 227, RSMo, by adding thereto four new sections relating to the designation of memorial highways.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 760**, entitled:

An act to repeal sections 390.071, 390.136, and 622.095, RSMo, and to enact in lieu thereof two new sections relating to implementing the unified carrier registration plan and agreement to conform with the Unified Carrier Registration Act of 2005, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 765**, entitled:

An act to repeal section 72.080, RSMo, and to enact in lieu thereof one new section relating to incorporation of municipalities, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 841**, entitled:

An act to repeal section 304.180, RSMo, and to enact in lieu thereof one new section relating to vehicle weight regulations.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 850**, entitled:

An act to repeal section 336.140, RSMo, and to enact in lieu thereof one new section relating to the board of optometry.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 856**, entitled:

An act to amend chapter 301, RSMo, by adding thereto one new section relating to the creation of the armed forces expeditionary medal license plate.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 896**, entitled:

An act to repeal sections 233.010 and 233.155, RSMo, and to enact in lieu thereof five new sections relating to incorporated road districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 901**, entitled:

An act to repeal sections 287.020, 287.200, and 287.230, RSMo, and to enact in lieu thereof three new sections relating to workers' compensation, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 936**, entitled:

An act to repeal section 643.340, RSMo, and to enact in lieu thereof one new section relating to motor vehicle emissions inspection process.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 942**, entitled:

An act to repeal sections 340.337, 340.341, 340.375, 340.381, 340.384, 340.387, 340.390, 340.393, and 340.396, RSMo, and to enact in lieu thereof nine new sections relating to large animal veterinary students, with an expiration date for certain sections.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 951**, entitled:

An act to repeal sections 44.100, 361.240, and 362.048, RSMo, and to enact in lieu thereof three new sections relating to emergency response within financial institutions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 953**, entitled:

An act to repeal section 610.021, RSMo, and to enact in lieu thereof one new section relating to authorization to close certain records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 955**, entitled:

An act to repeal section 301.140, RSMo, and to enact in lieu thereof one new section relating to refund of motor vehicle registration fees.



In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 970**, entitled:

An act to repeal section 105.483, RSMo, and to enact in lieu thereof one new section relating to filing financial interest statements.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 978**, entitled:

An act to amend chapter 190, RSMo, by adding thereto one new section relating to recall of ambulance district board members.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 991**, entitled:

An act to amend chapter 10, RSMo, by adding thereto one new section relating to the official state dessert.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 999**, entitled:

An act to repeal section 427.225, RSMo, and to enact in lieu thereof one new section relating to the deceptive use of a financial institution's name.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1002**, entitled:

An act to repeal section 89.120, as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 89.120, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session, and to enact in lieu thereof one new section relating to zoning violation remedies, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1008**, entitled:

An act to repeal section 379.118, RSMo, and to enact in lieu thereof three new sections relating to the transmission of insurance-related information in specific formats.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1010**, entitled:

An act to authorize the conveyance of property owned by the state in Jasper County to Missouri Southern State University.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1039**, entitled:

An act to repeal section 190.335, RSMo, and to enact in lieu thereof one new section relating to emergency service boards.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1061**, entitled:

An act to amend chapter 58, RSMo, by adding thereto one new section relating to the registration of coroners and their assistants.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1068**, entitled:

An act to amend chapter 338, RSMo, by adding thereto one new section relating to the pharmacy rebates fund.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Portwood.

### **ADJOURNMENT**

On motion of Representative Deeken, the House adjourned until 4:00 p.m., Monday, March 3, 2008.

### **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Twenty-ninth Day, Thursday, February 28, 2008, Page 363, Line 4, by inserting immediately after the word "**Consent**" the following:

", and pursuant to Rule 25(21)(f) be referred to the Committee on Rules."

## **COMMITTEE MEETINGS**

### **BUDGET**

Monday, March 3, 2008, 12:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2001, HB 2002, HB 2003

### **BUDGET**

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2001, HB 2002, HB 2003

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 1584, HB 1798

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1852, HB 1515, HB 1516, HB 1777

### **ELECTIONS**

Tuesday, March 4, 2008, 8:15 a.m. Hearing Room 5.

Executive session will precede the hearing.

Public hearings to be held on: HJR 54, HB 1674

### **HIGHER EDUCATION**

Tuesday, March 4, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1596, HB 2048

### **INTERIM COMMITTEE ON THE SECOND INJURY FUND**

Wednesday, March 5, 2008, 1:30 p.m. Hearing Room 7.

Second Injury Fund information meeting for self-insured employers and group trusts.

### **JUDICIARY**

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1360, HB 1460, HB 1497, HB 1587, HB 2132, HCR 17

**RULES - PURSUANT TO RULE 25(21)(f)**

Monday, March 3, 2008, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1805, HB 1422, HB 1983, HB 1469, HB 1358,  
HCS HB 1836, HCS HJR 43, HCS HJR 41, HCS HB 1326, HCS HB 1518, HCS HB 1512

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, March 4, 2008, 9:00 a.m. Hearing Room 4.

Executive session.

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1716, HB 1929, HB 1982, HB 2110

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, March 4, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1910, HB 1804, HB 1866, HB 2115, HB 1466

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 2129

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 2190

**SPECIAL COMMITTEE ON TOURISM**

Tuesday, March 4, 2008, 9:00 a.m. House Lounge.

Joint Committee on Tourism.

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1507, HB 2117

**TRANSPORTATION**

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HCR 15, HB 1500, HB 1646, HB 1887

**WAYS AND MEANS**

Monday, March 3, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session.

**HOUSE CALENDAR**

**THIRTY-FIRST DAY, MONDAY, MARCH 3, 2008**

**HOUSE BILLS FOR SECOND READING**

HB 2321 through HB 2323

**HOUSE BILL FOR PERFECTION - APPROPRIATIONS**

HCS HB 2014 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1619 - Jones (117)
- 2 HCS HB 1779 - Emery
- 3 HB 1911 - Muschany
- 4 HB 1806 - Schaaf

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/28/08)

- 1 HB 1368 - Thomson
- 2 HB 1689 - Wilson (130)
- 3 HB 2055 - Viebrock
- 4 HCS HB 2056 - Viebrock

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HBs 1595 & 1668 - Swinger
- 2 HB 1371 - Wilson (119)
- 3 HB 1678 - Day

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1384 - Cox

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- 6        HB 1410 - Flook
- 7        HB 1490 - Deeken
- 8        HB 1532 - Davis
- 9        HB 1570 - Franz
- 10       HB 1572 - Franz
- 11       HB 1574 - Jones (117)
- 12       HB 1608 - Ervin
- 13       HB 1640 - Schoeller
- 14       HB 1711 - Weter
- 15       HB 1972 - Franz
- 16       HB 1973 - Franz

**SENATE BILLS FOR SECOND READING**

- 1        SB 723
- 2        SCS SBs 753, 728, 906 & 1026
- 3        SCS SB 760
- 4        SCS SB 765
- 5        SB 841
- 6        SCS SB 850
- 7        SB 856
- 8        SB 896
- 9        SCS SB 901
- 10       SB 936
- 11       SCS SB 942
- 12       SCS SB 951
- 13       SB 953
- 14       SB 955
- 15       SB 970
- 16       SB 978
- 17       SB 991
- 18       SB 999
- 19       SB 1002
- 20       SCS SB 1008
- 21       SB 1010
- 22       SCS SB 1039
- 23       SB 1061
- 24       SB 1068

**HOUSE BILL WITH SENATE AMENDMENT**

SS SCS HB 2020 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-FIRST DAY, MONDAY, MARCH 3, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, by Your Word the heavens were created. You breathed the Word and all the stars were born. May we all, this day, stand in awe of You. May we put our hope in You. You are our help and our shield.

We begin this session by offering a prayer of thanksgiving for granting us safe travel once again. We come seeking the wisdom that can only come from You. We come to receive counsel that we may organize our days properly.

We thank You, Lord God, for the constancy of Your presence, therefore we do fear the tasks before us. We are not discouraged, for You guide us with deep and clear knowledge of Your will. When the long days become longer still, You strengthen us and hold us up by Your power and steadfastness.

Now unto You, who is able to keep us from falling, to You be all glory and honor and praise.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the twenty-ninth day was approved as corrected.

The Journal of the thirtieth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 880 through House Resolution No. 886

## SECOND READING OF HOUSE BILLS

**HB 2321** through **HB 2323** were read the second time.

## SECOND READING OF SENATE BILLS

**SB 723, SCS SBs 753, 728, 906 & 1026, SCS SB 760, SCS SB 765, SB 841, SCS SB 850, SB 856, SB 896, SCS SB 901, SB 936, SCS SB 942, SCS SB 951, SB 953, SB 955, SB 970, SB 978, SB 991, SB 999, SB 1002, SCS SB 1008, SB 1010, SCS SB 1039, SB 1061 and SB 1068** were read the second time.

## PERFECTION OF HOUSE BILL - APPROPRIATIONS

**HCS HB 2014**, relating to appropriations, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1.**

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2014, Page 8, Section 14.200, Line 3, by inserting after said line the following:

"From General Revenue Fund . . . . . \$71,505"; and

Further amend said bill by amending the section and bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 1** was adopted.

Representative Icet offered **House Amendment No. 2.**

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2014, Page 5, by inserting the following new section:

"Section 14.106. To the Department of Labor and Industrial Relations  
For the State Board of Mediation

Personal Service . . . . .	\$21,419
Expense and Equipment . . . . .	<u>6,180</u>
From General Revenue Fund . . . . .	\$27,599"; and

Further amend said bill by adjusting bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 2** was adopted.

Representative Icet offered **House Amendment No. 3.**

### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2014, Page 8, Section 14.200, Line 6, by inserting after said line the following:

"Section 14.210. To the Department of Social Services  
For the MO HealthNet Division

For the purpose of supplementing appropriations for any medical service under the MO HealthNet fee-for-service, managed care, or State Medical programs, including related services and for the treatment of Sickle Cell Disease using the comprehensive chronic care risk management model as implemented by the state's Chronic Care Improvement Program

From Federal Funds . . . . .	\$1,733,793
From Uncompensated Care Fund . . . . .	<u>\$506,219</u>
Total . . . . .	\$2,240,012"; and

Further amend said bill by amending the bill totals accordingly.



On motion of Representative Icet, **House Amendment No. 3** was adopted.

On motion of Representative Icet, **HCS HB 2014, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2014, as amended**, was ordered perfected and printed.

### HOUSE BILL WITH SENATE AMENDMENT

**SS SCS HB 2020**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **SS SCS HB 2020** was adopted by the following vote:

AYES: 153

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 008

Bland	Cooper 120	Harris 23	Hughes	Hunter
Lipke	Scavuzzo	Stevenson		

VACANCIES: 002

On motion of Representative Icet, **SS SCS HB 2020** was truly agreed to and finally passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Cooper 120	Harris 23	Hughes	Lipke
McClanahan	Page	Salva	Scavuzzo	Stevenson

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

## RECESS

On motion of Representative Tilley, the House recessed until 5:30 p.m.

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

## SUPPLEMENTAL CALENDAR

MARCH 3, 2008

### THIRD READING OF HOUSE BILL - APPROPRIATIONS

HCS HB 2014 - Icet

### THIRD READING OF HOUSE BILL - APPROPRIATIONS

**HCS HB 2014**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2014** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones

Yaeger  
Mr Speaker

Yates

Young

Zimmerman

Zweifel

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 009

Cooper 120  
Lipke

Grisamore  
Rucker

Harris 23  
Scavuzzo

Haywood  
Threlkeld

Hunter

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1356** - Transportation  
**HB 1455** - Local Government  
**HB 1547** - Special Committee on Utilities  
**HB 2031** - Judiciary  
**HB 2212** - Judiciary  
**HB 2256** - Special Committee on Health Insurance

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 2255** - Corrections and Public Institutions

### **COMMITTEE REPORTS**

**Special Committee on Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 1704**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 1773**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 41**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 43**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1326**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1358**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1422**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1469**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1512**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1518**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1715**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1805**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1836**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1886**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1934**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1983**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

**INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were read the first time and copies ordered printed:

**HB 2004**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2006**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2007**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, and Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2008**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2009**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2012**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended

only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2013**, introduced by Representative Icet, to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2324**, introduced by Representatives Wildberger, Roorda and Bruns, relating to mutual-aid agreements and the Missouri mutual aid systems.

**HB 2325**, introduced by Representative Wildberger, relating to reporting of certain persons not legally present in the United States.

**HB 2326**, introduced by Representative Day, relating to the appointment of the state water patrol commissioner.

**HB 2327**, introduced by Representatives Bivins, Lembke, Day, Sater, Flook, Dougherty and Dusenberg, relating to distribution of proceeds in the gaming commission fund.

**HB 2328**, introduced by Representative Wasson, relating to sales tax exemptions.

**HB 2329**, introduced by Representatives Dougherty and Talboy, relating to Missouri blasting safety act.

**HB 2330**, introduced by Representatives Brandom, Icet, Parkinson, Smith (150), Kingery, Schaaf, Muschany, Day, Nieves, Nolte, Jones (89), Tilley, Kasten, Denison and Wells, relating to illegal drug use of applicants and recipients of temporary assistance for needy families benefits.

**HB 2331**, introduced by Representatives Spreng, Cunningham (145), Vogt, Villa, Lowe (44), Darrough, Zimmerman, LeVota and Zweifel, relating to emergency response within financial institutions.

**HB 2332**, introduced by Representative Parson, relating to unenforceable construction contracts.

**HB 2333**, introduced by Representatives Sander, Scharnhorst, Stevenson, Onder, Cox, Kraus, Yates, Dougherty, Nolte, Dusenberg, Nieves, Bivins, Brown (30) and Dethrow, relating to federal economic stimulus payments.

**HB 2334**, introduced by Representative Cunningham (86), relating to the office of child advocate.

### COMMITTEE CHANGES

The Speaker submitted the following Committee changes:

Representative Cox has been appointed a member of the Rules Committee.

Representative Onder is no longer a member of the Rules Committee.

### WITHDRAWAL OF HOUSE BILL

March 3, 2008

Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306-C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I respectfully request withdrawal of **House Bill No. 1992** relating to required training for security guards.

Please do not hesitate to contact me if I can provide additional information.

Sincerely,

/s/ Mike Talboy  
Missouri House of Representatives  
District 37

### ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, March 4, 2008.

### COMMITTEE MEETINGS

#### BUDGET

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2001, HB 2002, HB 2003

#### BUDGET

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2001, HB 2002, HB 2003

#### CONSERVATION AND NATURAL RESOURCES

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1798, HB 1881, HB 1903, HB 1584



**CORRECTIONS AND PUBLIC INSTITUTIONS**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 2051, HB 1372, HB 2060

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1852, HB 1515, HB 1516, HB 1777

**ELECTIONS**

Tuesday, March 4, 2008, 8:15 a.m. Hearing Room 5.

Executive session will precede the hearing.

Public hearings to be held on: HJR 54, HB 1674

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, March 5, 2008, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1676, HB 1692, HB 1807, HB 1726

**HEALTH CARE POLICY**

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 2106

**HIGHER EDUCATION**

Tuesday, March 4, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1596, HB 2048

**INTERIM COMMITTEE ON THE SECOND INJURY FUND**

Wednesday, March 5, 2008, 1:30 p.m. Hearing Room 7.

Second Injury Fund information meeting for self-insured employers and group trusts.

**JUDICIARY**

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1360, HB 1460, HB 1497, HB 1587, HB 2132, HCR 17

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, March 4, 2008, 9:00 a.m. Hearing Room 4.

Executive session.

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 1729, HJR 69, HB 1510

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2142, HB 2143, HB 1984, HB 1839, HB 2118

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, March 5, 2008, 5:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1617, HB 1809, HB 1874, HB 2188

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1716, HB 1929, HB 1982, HB 2110

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, March 4, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1910, HB 1804, HB 1866, HB 2115, HB 1466

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1319, HCR 18

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, March 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1677, HB 1710, HB 2104, HB 2204

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 5.

Public hearing to be held on: HB 2129

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, March 5, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2159, HB 2191, HB 2226

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2189, HB 2208, HB 2178, HB 1644, HB 2190, HB 2112

**SPECIAL COMMITTEE ON TOURISM**

Tuesday, March 4, 2008, 9:00 a.m. House Lounge.

Joint Committee on Tourism.

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, March 4, 2008, 2:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1507, HB 2117

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, March 5, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 1531

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, March 4, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1783, HB 1784, HB 1813, HJR 71

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, March 5, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 2094

**TRANSPORTATION**

Tuesday, March 4, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HCR 15, HB 1500, HB 1646, HB 1887

**HOUSE CALENDAR**

THIRTY-SECOND DAY, TUESDAY, MARCH 4, 2008

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1 HB 2004
- 2 HB 2006 through HB 2009
- 3 HB 2012 and HB 2013

**HOUSE BILLS FOR SECOND READING**

HB 2324 through HB 2334

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1619 - Jones (117)
- 2 HCS HB 1779 - Emery
- 3 HB 1911 - Muschany
- 4 HB 1806 - Schaaf
- 5 HCS HB 1886 - Scharnhorst

**HOUSE BILLS FOR PERFECTION - CONSENT**

(2/28/08)

- 1 HB 1368 - Thomson
- 2 HB 1689 - Wilson (130)
- 3 HB 2055 - Viebrock
- 4 HCS HB 2056 - Viebrock

(3/04/08)

- 1 HB 1358 - Flook
- 2 HB 1422 - St. Onge
- 3 HB 1469 - Pratt
- 4 HB 1805 - Schaaf
- 5 HB 1983 - Pratt

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HBs 1595 & 1668 - Swinger
- 2 HB 1371 - Wilson (119)
- 3 HB 1678 - Day

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1384 - Cox
- 6 HB 1410 - Flook
- 7 HB 1490 - Deeken
- 8 HB 1532 - Davis
- 9 HB 1570 - Franz
- 10 HB 1572 - Franz
- 11 HB 1574 - Jones (117)
- 12 HB 1608 - Ervin
- 13 HB 1640 - Schoeller
- 14 HB 1711 - Weter
- 15 HB 1972 - Franz
- 16 HB 1973 - Franz

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-SECOND DAY, TUESDAY, MARCH 4, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

"Thus says the Lord:  
See, upon the palm of my hands,  
I have written your name..."  
*(Isaiah 49:16)*

Lord, You know the name of every person and You care equally for every person on earth. Give us the ability to live in Your image and likeness by caring equally for every person whom we have been elected to serve. Help all in this body to think this way. Then, as we work together we will be working for the common good.

As through the prophets You show Your special concern for the poor, may we show special concern for the poor. As we imitate You in our work, O Lord, our work becomes godly. Today, may our work be godly, and may we be godly.

To You be glory and honor, now and forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lucas Sean Wilson, Eddie Floyd, Ross Northcutt, Beth Prater, Kaitlyn Pullam, Nahush Katti and Sumidha Katti.

The Journal of the thirty-first day was approved as printed.

## SPECIAL RECOGNITION

Dr. Kattesh Katti was introduced by Representative Robb and recognized as an Outstanding Missourian.

## HOUSE RESOLUTIONS

Representative Icet offered House Resolution No. 887.  
Representative Faith offered House Resolution No. 902.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 888 through House Resolution No. 901

House Resolution No. 903 through House Resolution No. 908

## SECOND READING OF HOUSE BILLS - APPROPRIATIONS

**HB 2004**, **HB 2006** through **HB 2009**, **HB 2012** and **HB 2013** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2324** through **HB 2334** were read the second time.

Speaker Jetton assumed the Chair.

## SIGNING OF HOUSE BILL

All other business of the House was suspended while **SS SCS HB 2020** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS SCS HB 2020** was delivered to the Governor by the Chief Clerk of the House.

Representative Nieves assumed the Chair.

## THIRD READING OF HOUSE BILLS

**HCS HBs 1595 & 1668**, relating to a tax credit for storm shelters, was taken up by Representative Swinger.

On motion of Representative Swinger, **HCS HBs 1595 & 1668** was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Ice
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Munzlinger	Muschany	Nance
Nasheed	Nieves	Norr	Onder	Oxford

Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 012

Baker 123	Bivins	Daus	Davis	Ervin
Flook	Kraus	Nolte	Sater	Stevenson
Villa	Yates			

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Brown 50	Donnelly	Harris 23	Hobbs
Hubbard	Hunter	Lipke	Moore	Robb

VACANCIES: 002

Representative Nieves declared the bill passed.

**HB 1371**, relating to rural empowerment zones, was taken up by Representative Wilson(119).

On motion of Representative Wilson (119), **HB 1371** was read the third time and passed by the following vote:

AYES: 155

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr

Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker 25	Brown 50	Donnelly	Hubbard	Lipke
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VACANCIES: 002

Representative Nieves declared the bill passed.

**HB 1678**, relating to education for military children, was taken up by Representative Day.

On motion of Representative Day, **HB 1678** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker



Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Wallace

PRESENT: 000

ABSENT WITH LEAVE: 006

Brown 50	Cooper 120	Donnelly	El-Amin	Hubbard
Lipke				

VACANCIES: 002

Representative Nieves declared the bill passed.

### PERFECTION OF HOUSE BILL

**HCS HB 1619**, relating to a drug monitoring act, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1619, Section 195.017, Page 13, Line 143, by deleting all of said line and inserting in lieu thereof the following:

"(hh) [1-(1-(2-thienyl)cyclohexyl)pyrrolidine] **1-[1-(2-thienyl)cyclohexyl]pyrrolidine**"; and

Further amend said substitute, Section 195.417, Page 33, Line 15, by inserting the word "**a**" immediately after the word "**from**" in the second instance; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

Representative Schaaf offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1619, Section 195.384, Page 30, Lines 8-9, by deleting all of said lines and inserting in lieu thereof the following:

**“3. The department shall review the dispensing information. Only in the case of a routine on-site inspection or in the investigation of a complaint, if such review reveals reasonable cause to believe a violation of law or breach of professional standards may have”; and**

Further amend said bill, Section 195.387, Page 31, Line 4, by inserting immediately following the word “**Any**” the words “**employee of a**”; and

Further amend said bill, section, and page, Line 7, by deleting the words “**A misdemeanor**” and inserting in lieu thereof the words “**D felony**”; and

Further amend said bill, Section 195.390, Page 31, Lines 1-2, by deleting all of said lines and inserting in lieu thereof the following:

**“195.390. Prior to implementation of the drug monitoring program, the department shall promulgate rules setting forth the procedures and methods of implementing sections 195.378 to 195.399, including but not limited to protections of confidentiality and a procedure by which any patient may discover who if anyone has accessed his or her stored information, which shall be consistent with federal laws and”; and**

Further amend said bill, Section 195.393, Page 31, Line 7, by deleting the words “**A misdemeanor**” and inserting in lieu thereof the words “**D felony**”; and

Further amend said bill, Section 195.396, Page 32, Lines 11-20, by deleting all of said lines and inserting in lieu thereof the following:

**“2. The department shall, when appropriate, work with associations for impaired professionals to ensure intervention, treatment, and ongoing monitoring and follow-up.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1619, Page 1, Section 195.393, Line 21, by inserting before said line the following:

Further amend 195.393, Page 31, Line 4, by inserting after the word "authorized" the following:

"Or not authorized" .

On motion of Representative Darrough, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Schaaf, **House Amendment No. 2, as amended**, was adopted.

Representative Bringer offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1619, Section 195.017, Page 28, Line 670, by inserting immediately after said line the following:

"21. Logs of transactions required to be kept and maintained by this section and section 195.417, shall create a rebuttable presumption that the person whose name appears in the logs is the person whose transactions are recorded in the logs."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 1619, Page 1, Line 5, by inserting after "presumption";

**"in any civil or criminal action".**

On motion of Representative Cox, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Bringer, **House Amendment No. 3, as amended**, was adopted by the following vote:

AYES: 134

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Darrough
Daus	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Loehner	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 022

Burnett	Curls	Davis	Grill	Holsman
Hughes	LeVota	Low 39	Lowe 44	Marsh
Meiners	Muschany	Oxford	Portwood	Sater
Schaaf	Schad	Skaggs	Talboy	Vogt
Wallace	Young			

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 004

Harris 23	Hunter	Lipke	Spreng
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VACANCIES: 002

### Representative Roorda offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1619, Page 16, Section 195.017, Lines 220-249, by deleting such lines and inserting in lieu thereof, the following:

"(a) Alfentanil;  
 (b) Alphaprodine;  
 (c) **Amyl nitrite**;  
 (d) Anileridine;  
 [(d)] (e) Bezitramide;  
 [(e) Bulk Dextropropoxyphene];  
 (f) **Butyl nitrite**;  
 (g) Carfentanil;  
 (h) **Cyclohexyl nitrite**;  
 [(g) Butyl nitrite] (i) **Bulk Dextropropoxypene**;  
 [(h)] (j) Dihydrocodeine;  
 [(i)] (k) Diphenoxylate;  
 (l) **Ethyl nitrite**;  
 [(j)] (m) Fentanyl;  
 (n) **Isoamyl nitrite**;  
 (o) **Isobutyl nitrite**;  
 (p) **Isoethyl nitrite**;  
 (q) **Isopentyl nitrite**;  
 (r) **Isopropyl nitrite**;  
 [(k)] (s) Isomethadone;  
 [(l)] (t) Levo-alphacetylmethadol;  
 [(m)] (u) Levomethorphan;  
 [(n)] (v) Levorphanol;  
 [(o)] (w) Metazocine;  
 [(p)] (x) Methadone;  
 [(q)] (y) Meperidine;  
 [(r)] (z) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;  
 (aa) **Pentyl nitrite**;  
 [(s)] (bb) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic acid;  
 [(t)] (cc) Pethidine (**meperidine**);  
 [(u)] (dd) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

[(v)] **(ee)** Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;  
 [(w)] **(ff)** Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;  
 [(x)] **(gg)** Phenazocine;  
 [(y)] **(hh)** Piminodine;  
**(ii) Propyl nitrite;**  
 [(z)] **(jj)** Racemethorphan;  
 [(aa)] **(kk)** Racemorphan;  
**(ll) Remifentanyl;**  
 [(bb)] **(mm)** Sufentanyl;"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Roorda, **House Amendment No. 4** was adopted.

Representative Salva offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1619, Page 14, Section 195.017, Line 177, by inserting after said line:

"**(9.) mifepristone**".

Representative Schaaf raised a point of order that **House Amendment No. 5** is not properly drafted.

Representative Nieves requested a parliamentary ruling.

The point of order was withdrawn.

On motion of Representative Salva, **House Amendment No. 5** was adopted by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fisher	Flook	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hoskins	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kratky
Kraus	Kuessner	Lembke	Liese	Loehner
Marsh	May	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	St. Onge	Stream

Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 036

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fares
Frame	Haywood	Holsman	Hubbard	Hughes
Komo	Lampe	LeVota	Low 39	McClanahan
Nasheed	Oxford	Page	Skaggs	Storch
Talboy	Vogt	Wallace	Walton	Whorton
Wildberger	Witte	Wright-Jones	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker 25	Corcoran	Harris 23	Hunter	Johnson
Lipke	Lowe 44	Meiners	Roorda	Spreng
Stevenson	Walsh			

VACANCIES: 002

**HCS HB 1619, as amended,** was laid over.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 2004** - Budget  
**HB 2006** - Budget  
**HB 2007** - Budget  
**HB 2008** - Budget  
**HB 2009** - Budget  
**HB 2012** - Budget  
**HB 2013** - Budget

## COMMITTEE REPORT

**Committee on Ways and Means,** Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1345**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

## INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS

The following House Bills were read the first time and copies ordered printed:

**HB 2005**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2010**, introduced by Representative Icet, to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2011**, introduced by Representative Icet, to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2335**, introduced by Representative Daus, relating to traffic signals.

**HB 2336**, introduced by Representatives Roorda and Meadows, relating to a memorial highway designation.

**HB 2337**, introduced by Representatives Frame, Munzlinger, Roorda, Komo, Casey, Harris (110), Meadows and Fallert, relating to eminent domain.

**HB 2338**, introduced by Representatives Holsman, Talboy, Lampe, Brown (50), Darrough, Nasheed, Zimmerman, LeVota, Aull, Johnson, Zweifel, Grill, Chappelle-Nadal, Storch, Curls, Walsh, Page, Wright-Jones, Walton, Low (39), George, Hughes, Corcoran, Bland, Burnett, Donnelly and Oxford, relating to the persistence to graduation fund.

**HB 2339**, introduced by Representative Jones (117), relating to the restroom access act.

**HB 2340**, introduced by Representative Corcoran, relating to domestic violence.

**HB 2341**, introduced by Representatives Silvey, Lembke, Portwood, Salva, Smith (150), Hobbs, Wright, Walton, Hughes, Wildberger, Skaggs, Schieffer, Norr, Stevenson, McGhee, Avery, Cunningham (145), Sater, Curls, Donnelly, Robb, Nolte, Whorton, Storch, Harris (110), Schlottach, Dethrow, Nasheed, Talboy, Lampe, LeVota, Icet, Moore, Schaaf, Stream, Kasten and Baker (25), relating to leases for state-owned property.

**HB 2342**, introduced by Representatives Wilson (130), Nieves, Smith (150), Silvey, Wells, Portwood, Pratt, Pearce, Fisher, Ervin, Kraus, Yates, Ruestman, Franz, Nolte, Funderburk, Emery, Richard, Kasten and Jetton, relating to drug testing.

**HB 2343**, introduced by Representative Wilson (130), relating to long-term care facilities.

### **COMMITTEE CHANGES**

The Speaker submitted the following Committee changes:

Representative Kratky has been appointed a member of the Special Committee on Health Insurance and the Special Committee on Tourism.

Representative Richard is no longer a member of the Special Committee on Financial Institutions.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, March 5, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Thursday, March 6, 2008, 8:00 a.m. Hearing Room 6.  
Executive session may follow. **CORRECTED NOTICE**  
Public hearings to be held on: HB 1941, HB 2167

#### **BUDGET**

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 3.  
Executive session may follow. **CANCELLED**  
Public hearings to be held on: HB 2001, HB 2002, HB 2003

#### **BUDGET**

Wednesday, March 5, 2008, Hearing Room 3 upon morning adjournment.  
Executive session may follow.  
Public hearings to be held on: HB 2004, HB 2006, HB 2007, HB 2008, HB 2009, HB 2012, HB 2013

#### **BUDGET**

Thursday, March 6, 2008, 8:15 a.m. Hearing Room 3.  
Executive session may follow.  
Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2006, HB 2007, HB 2008, HB 2009, HB 2012, HB 2013



CONSERVATION AND NATURAL RESOURCES

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1798, HB 1881, HB 1903, HB 1584

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, March 5, 2008, 5:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1676, HB 1692, HB 1807, HB 1726

FISCAL REVIEW

Thursday, March 6, 2008, 9:00 a.m. House Chamber south gallery.

Any bills referred to this committee.

HEALTH CARE POLICY

Wednesday, March 5, 2008, 2:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1914, HB 2244

INTERIM COMMITTEE ON THE SECOND INJURY FUND

Wednesday, March 5, 2008, 1:30 p.m. Hearing Room 7.

Second Injury Fund information meeting for self-insured employers and group trusts.

JUDICIARY

Wednesday, March 5, 2008, 3:00 p.m. Hearing Room 4.

Executive session.

LOCAL GOVERNMENT

Wednesday, March 5, 2008, 12:00 p.m. Hearing Room 4.

Executive session will follow hearing.

Public hearings to be held on: HB 1936, HB 1967, HB 2126, HB 2171, HB 2233

RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, March 5, 2008, 2:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1426, HB 2065, HB 1616, HB 2081,  
HCS HBs 1876 & 1877, HCS HB 1704, HCS HB 1790, HCS HB 1626,  
HCS#2 HB 1463, HB 1773, HCS HJR 70

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2142, HB 2143, HB 1427, HB 1984,  
HB 1839, HB 2118

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, March 5, 2008, 5:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1617, HB 1809, HB 1874, HB 2188, HB 2173

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Thursday, March 6, 2008, House Chamber south gallery upon morning adjournment.

Executive session may follow.

Public hearings to be held on: HB 1723, HB 1440, HB 1904

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, March 5, 2008, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1394, HB 1757

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, March 5, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1319, HCR 18

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, March 6, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1620, HB 1791

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, March 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1677, HB 1710, HB 2104, HB 2204

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, March 5, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2144, HCR 27, HB 2036

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, March 6, 2008, 8:30 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 2206

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, March 5, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2159, HB 2191, HB 2226

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, March 5, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1531, HB 1547

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, March 5, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1858, HB 1808

**WAYS AND MEANS**

Thursday, March 6, 2008, 8:30 a.m. Hearing Room 5.

Possible Executive session.

Public hearings to be held on: HB 1828, HB 2250, HB 2221, HB 1645

**HOUSE CALENDAR**

THIRTY-THIRD DAY, WEDNESDAY, MARCH 5, 2008

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1 HB 2005
- 2 HB 2010
- 3 HB 2011

**HOUSE BILLS FOR SECOND READING**

HB 2335 through HB 2343

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1619, as amended - Jones (117)
- 2 HCS HB 1779 - Emery
- 3 HB 1911 - Muschany
- 4 HB 1806 - Schaaf
- 5 HCS HB 1886 - Scharnhorst
- 6 HCS HB 1722 - Wallace
- 7 HCS HB 2058 - Pearce
- 8 HCS HB 1326 - Sater

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

## **HOUSE BILLS FOR PERFECTION - CONSENT**

(2/28/08)

- 1 HB 1368 - Thomson
- 2 HB 1689 - Wilson (130)
- 3 HB 2055 - Viebrock
- 4 HCS HB 2056 - Viebrock

(3/04/08)

- 1 HB 1358 - Flook
- 2 HB 1422 - St. Onge
- 3 HB 1469 - Pratt
- 4 HB 1805 - Schaaf
- 5 HB 1983 - Pratt

## **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

## **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1384 - Cox
- 6 HB 1410 - Flook
- 7 HB 1490 - Deeken
- 8 HB 1532 - Davis
- 9 HB 1570 - Franz
- 10 HB 1572 - Franz
- 11 HB 1574 - Jones (117)
- 12 HB 1608 - Ervin
- 13 HB 1640 - Schoeller
- 14 HB 1711 - Weter
- 15 HB 1972 - Franz
- 16 HB 1973 - Franz

## **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-THIRD DAY, WEDNESDAY, MARCH 5, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God Almighty, You are merciful, loving, kind and caring. Your steadfast love never ceases; Your mercies never come to an end; they are new every morning; great is Your faithfulness.

May we remain faithful to our profession. May we remain passionate in serving, blameless in our pursuit of excellence, having a faultless reputation, our lives shaped by Your divine character.

Daily we receive calls, emails, correspondence of all kinds from those we serve. May we never become calloused to the numerous concerns, but responsive to the needs of each one as if it were our own.

Now may the grace of our Lord be with us all.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jack Roberts, Courtney Crawford, Kayla Rains, Tristen Terry, Nicole Cummings, Joseph Cummings, Cameron Kayser, Nick Rehagen, Kelsey Scheppers, McKenzie Smith, Nate Jones, Matthew Rehagen, Marin McMenus, Meredith Brunkow, Griffy Kesler and Emma King.

The Journal of the thirty-second day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 909 through House Resolution No. 944

## SECOND READING OF HOUSE BILLS - APPROPRIATIONS

**HB 2005**, **HB 2010** and **HB 2011** were read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2335** through **HB 2343** were read the second time.

**PERFECTION OF HOUSE BILL**

**HCS HB 1886**, relating to special needs scholarship tax credits, was taken up by Representative Scharnhorst.

Representative Scharnhorst moved that **HCS HB 1886** be adopted.

Representative Cooper (120) moved that **HCS HB 1886** be recommitted to the Special Committee on Student Achievement.

Which motion was adopted by the following vote:

AYES: 082

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Day
Deeken	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Kasten	Kelly	Kingery
Komo	Kratky	Loehner	Marsh	May
Meadows	Meiners	Moore	Munzlinger	Nance
Nieves	Nolte	Onder	Page	Parkinson
Parson	Pearce	Pratt	Richard	Robb
Roorda	Ruestman	Ruzicka	Salva	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Young
Zweifel	Mr Speaker			

NOES: 075

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Cunningham 86
Curls	Darrough	Daus	Davis	Donnelly
Dougherty	Dusenberg	El-Amin	Fallert	Frame
Funderburk	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Jones 117	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Low 39	McClanahan
McGhee	Muschany	Nasheed	Norr	Oxford
Pollock	Portwood	Quinn 7	Quinn 9	Robinson
Rucker	Sander	Scavuzzo	Scharnhorst	Schieffer
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wildberger
Witte	Wright-Jones	Yaeger	Yates	Zimmerman

PRESENT: 001

Lowe 44

ABSENT WITH LEAVE: 003

Avery Harris 23 Lipke

VACANCIES: 002

### THIRD READING OF HOUSE BILL - CONSENT

**HB 1384**, relating to identity theft, was taken up by Representative Cox.

On motion of Representative Cox, **HB 1384** was read the third time and passed by the following vote:

AYES: 154

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 007

Baker 25  
Lowe 44

Harris 23  
Threlkeld

Hunter

Icet

Lipke

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### PERFECTION OF HOUSE BILLS

**HCS HB 1779**, relating to telecommunications services, was taken up by Representative Emery.

Representative Emery offered **House Amendment No. 1.**

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1779, Page 35, Section 392.550, Line 25, by deleting the word "**relay**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 1** was adopted.

Representative Emery offered **House Amendment No. 2.**

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1779, Section 392.550, Page 35, Line 22, by inserting after the word "**customers**" on said line the phrase "**on interconnected voice over Internet protocol service**"; and

Further amend said section, Page 35, Line 23, by inserting after the phrase "**manner as**" on said line the phrase "**are charged and collected upon end user customers of local exchange telecommunications service and remitted by**"; and

Further amend said section, Page 35, Line 28, by deleting from said line the phrase "**, sales, or other tax**" and inserting in lieu thereof the word "**tax**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 2** was adopted.

Representative Walsh offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1779, Section 392.245, Page 19, Line 55, by deleting from said line the word "**set**" and inserting in lieu thereof the word "**increase**"; and

Further amend Page 20, Line 90, by removing brackets from the phrase "offered to business customers"; and



Further amend Page 20, Line 94, by removing brackets from the phrase "to business customers"; and

Further amend Page 20, Line 94, by inserting after the word "business" the word "**or residential**"; and

Further amend Page 20, Lines 94 through 99, by removing the brackets on said lines; and

Further amend Page 20, Line 104, by inserting after the word "exchange" on said line the following:

**"If the commercial mobile service provider does not designate customers by business or residential class, such provider will be deemed to be providing service to both business and residential customers";** and

Further amend said section, Page 22, Line 165, by deleting from said line the words "**forty percent**" and inserting in lieu thereof the words "**fifty five percent**"; and

Further amend Page 22, Line 170, by inserting after the words "**can be**" on said line the words "**increased to a rate that is**"; and

Further amend Page 22, Line 171, by deleting from said line the word "**highest**" and inserting in lieu thereof the phrase "**statewide average**"; and

Further amend Page 22, Line 172, by deleting from said line the word "**three**" and inserting in lieu thereof the word "**four**"; and

Further amend Page 22, Line 172, by deleting the phrase "**years and**" on said line and inserting in lieu thereof the phrase "**years. During the four year period, any annual increase in rates for residential basic local telecommunications service shall not exceed two dollars and fifty cents per line per month.**"; and

Further amend Page 22, Line 173, by deleting from said line the phrase "**that rates**" and inserting in lieu thereof the word "**Rates**"; and

Further amend Page 22, Line 173, by inserting after the word "**service**" on said line the phrase "**by and incumbent local exchange telecommunications company deemed competitive**"; and

Further amend Page 22, Line 174, by deleting from said line the phrase "**became competitively classified**" and inserting in lieu thereof the phrase "**was deemed competitive**"; and

Further amend Page 23, Line 182, by deleting the phrase "**, or**" on said line and inserting in lieu thereof the phrase "**. In addition, the commission shall continue to have authority to hear and resolve customer complaints to the extent such complaints are based on**"; and

Further amend Page 23, Line 183, by inserting after the phrase "**tariffs, or**" on said line the phrase "**a failure to comply with the**"; and

Further amend Page 23, Line 185, by inserting after the word "**levels**" on said line the phrase "**or a failure to provide service in a manner that is safe, adequate, usual and customary in the telecommunications industry**"; and

Further amend Page 23, Line 185, by inserting after all of said line the following:

**“(9) The commission may reimpose its customer billing rules, network engineering and maintenance rules, and rules requiring the recording and submitting of service objectives or surveillance levels, as applicable, on an incumbent local exchange telecommunications company that has been deemed competitive under this section, only upon a finding that the incumbent local exchange telecommunications company has engaged in a pattern or practice of inadequate service in these subject areas and that the reimposition of such rules is necessary to ensure the protection of consumer rights and/or the public safety. Prior to formal notice and hearing, the commission shall notify the incumbent local exchange telecommunications company of any deficiencies and provide such company an opportunity to remedy such deficiencies in a reasonable amount of time, but not less than sixty days.**

Should the incumbent local exchange telecommunications company remedy such deficiencies within a reasonable amount of time, the commission shall not reimpose the applicable customer billing rules, network engineering and maintenance rules, and rules requiring the recording and submitting of service objectives or surveillance levels. Should the incumbent local exchange telecommunications company fail to remedy such deficiencies, the commission shall reimpose the applicable customer billing rules, network engineering and maintenance rules, and rules requiring the recording and submitting of service objectives or surveillance levels, if it finds that:

(a) The reimposition of such rules is necessary for the protection of the majority of the incumbent local exchange telecommunications company's customers or for the public safety;

(b) No alternative or less burdensome action is adequate to protect the majority of the incumbent local exchange telecommunications company's customers; and

(c) Competitive market forces have been and will continue to be insufficient to protect the majority of the incumbent local exchange telecommunications company's customers.

(10) Should the commission determine that an emergency exists that impacts public safety or is essential for the protection of a majority of customers of all local exchange telecommunications companies operating in this state, the commission may, on an emergency basis, impose its customer billing rules, network engineering and maintenance rules, and rules requiring the recording and submitting of service objectives or surveillance levels, as applicable, on all local exchange telecommunications companies on a uniform and non-discriminatory basis. The commission may only issue such emergency rules after determining that:

(a) The rules are essential for the protection of a majority of customers of local exchange telecommunications companies operating in this state;

(b) No alternative or less burdensome mechanism will suffice to protect the majority of customers of local exchange telecommunications companies operating in this state; and

(c) Competitive market forces have been and will continue to be insufficient to protect the majority of customers of local exchange telecommunications companies operating in this state.

Emergency rules promulgated by the commission under this subdivision shall extend only until the legislature concludes its regular legislative session immediately following the imposition of any of the rules referenced herein, and shall become invalid unless ratified by legislation approved by the general assembly."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nieves assumed the Chair.

On motion of Representative Walsh, **House Amendment No. 3** was adopted.

Representative Bringer offered **House Amendment No. 4**.

Representative Schoeller raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Emery, **HCS HB 1779, as amended**, was adopted.

On motion of Representative Emery, **HCS HB 1779, as amended**, was ordered perfected and printed.

**HCS HB 1619, as amended**, relating to a drug monitoring act, was taken up by Representative Jones (117).

Representative Skaggs requested a division of the question on **HCS HB 1619, as amended**.

On motion of Representative Jones (117), **Part I of HCS HB 1619, as amended**, was adopted.

Representative Hobbs assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 066

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 007

Corcoran	Harris 23	Johnson	Lipke	Nolte
Page	Richard			

VACANCIES: 002

On motion of Representative Jones (117), **Part II of HCS HB 1619, as amended**, was adopted by the following vote:

AYES: 107

Aull	Bivins	Brandom	Bringer	Brown 30
Bruns	Casey	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Faith
Fallert	Fares	Fisher	Funderburk	Grisamore
Harris 110	Haywood	Hobbs	Hodges	Hubbard
Hunter	Icet	Jones 89	Jones 117	Komo
Kuessner	Lampe	LeVota	Liese	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nasheed
Nieves	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walton	Wasson
Wells	Wildberger	Wilson 119	Witte	Wood
Zimmerman	Mr Speaker			

NOES: 049

Avery	Baker 25	Baker 123	Bland	Brown 50
Burnett	Chappelle-Nadal	Daus	Davis	Dusenberg
Ervin	Frame	Franz	George	Grill
Guest	Holsman	Hoskins	Hughes	Johnson
Kasten	Kelly	Kingery	Kratky	Kraus
Lembke	Low 39	Lowe 44	Muschany	Nolte
Oxford	Portwood	Sater	Schaaf	Schoemehl
Skaggs	Stevenson	Talboy	Vogt	Walsh
Weter	Whorton	Wilson 130	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 005

Flook	Harris 23	Lipke	Page	Richard
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VACANCIES: 002

On motion of Representative Jones (117), **HCS HB 1619, as amended**, was ordered perfected and printed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2005** - Budget

**HB 2010** - Budget

**HB 2011** - Budget

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 1764** - Special Committee on General Laws

### **COMMITTEE REPORTS**

**Committee on Conservation and Natural Resources**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 1881**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Higher Education**, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1802**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 1869**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1832**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 18

WHEREAS, the western part of Missouri is a growing, vital part of Missouri's commerce and economic development; and

WHEREAS, U.S. Highway 71 is an important link for communities, companies, and citizens along this corridor; and

WHEREAS, the Missouri I-49 Coalition is a nonprofit organization consisting of concerned citizens, organizations, and communities organized for the sole purpose of improving U.S. Highway 71 to interstate standards and designating it as part of Interstate 49; and

WHEREAS, designation of U.S. Highway 71 as a part of I-49 will provide western Missouri with the shortest direct route into international commerce by way of the Gulf of Mexico at New Orleans:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby:

- (1) Recognize the Missouri I-49 Coalition as the official organization for this project in the State of Missouri;
- (2) Recognize the importance of I-49 to the State of Missouri;
- (3) Support the upgrading of U.S. Highway 71 to interstate standards;
- (4) Encourage the Missouri Department of Transportation to support conceptually the idea of an I-49 corridor;
- (5) Encourage the Missouri Congressional Delegation to pursue federal funds to assist with this project; and
- (6) Urge the United States Department of Transportation to support the designation of U.S. Highway 71 in Missouri as a part of Interstate 49; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Mary E. Peters, the Secretary of the United States Department of Transportation, Pete Rahn, the Director of the Missouri Department of Transportation, each member of the Missouri Highways and Transportation Commission, and each member of the Missouri Congressional Delegation.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 2226**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 11

WHEREAS, the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) of the federal Social Security Act penalize people who have dedicated their lives to public service by taking away benefits they have earned; and

WHEREAS, nine out of ten public employees affected by the GPO lose their entire spousal benefit, even though their spouse paid Social Security taxes for many years; and

WHEREAS, the WEP causes hard-working people to lose up to sixty percent of the benefits they earned themselves; and

WHEREAS, many workers rely on Social Security Administration statements that fail to take into account the GPO and WEP when projecting benefits; and

WHEREAS, the impact of the GPO and WEP is not just felt in those states in which public employees, including educators, are not covered by Social Security, because people move from state to state and affected individuals are everywhere; and

WHEREAS, the GPO and WEP apply to all vested members of the Public School Retirement System of Missouri; and

WHEREAS, the number of people affected across the country is growing every day as more and more people reach retirement age; and

WHEREAS, these people have less money to spend in their local economy and sometimes have to turn to expensive government programs like food stamps to make ends meet; and

WHEREAS, during a national teacher shortage, the GPO and WEP discourage people from entering and staying in the teaching profession, since doing so will mean a loss of earned Social Security benefits; and

WHEREAS, the GPO and WEP are also causing current educators to leave the profession and students to choose courses of study other than education; and

WHEREAS, non-Social Security states are finding it increasingly difficult to attract quality educators as more people learn about the GPO and WEP; and

WHEREAS, the nation should respect, not penalize, public service; and

WHEREAS, the GPO and WEP are established in federal law and repeal of the GPO and WEP can only be enacted by the United States Congress:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the Congress of the United States to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

#### HOUSE CONCURRENT RESOLUTION NO. 16

WHEREAS, the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP) of the federal Social Security Act penalize people who have dedicated their lives to public and military service by taking away benefits they have earned; and

WHEREAS, nine out of ten public employees affected by the GPO lose their entire spousal benefit, even though their spouse paid Social Security taxes for many years; and

WHEREAS, the WEP causes hard-working people to lose up to sixty percent of the benefits they earned themselves; and

WHEREAS, many workers rely on misleading Social Security Administration statements that fail to take into account the GPO and WEP when projecting benefits; and

WHEREAS, the impact of the GPO and WEP is not just felt in those states in which public employees, including retired veterans, are not covered by Social Security, because people move from state to state and affected individuals are everywhere; and

WHEREAS, the GPO and WEP apply to Missouri retired veterans; and

WHEREAS, the number of people affected across the country is growing every day as more and more people reach retirement age; and

WHEREAS, some 300,000 individuals lose an average of \$3,600 a year due to the GPO which can make the difference between self-sufficiency and poverty; and

WHEREAS, these people have less money to spend in their local economy and sometimes have to turn to expensive government programs like food stamps to make ends meet; and

WHEREAS, the nation should respect, not penalize, public and military service; and

WHEREAS, the GPO and WEP are established in federal law and repeal of the GPO and WEP can only be enacted by the United States Congress:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the Congress of the United States to immediately repeal the Government Pension Offset and Windfall Elimination Provision of the Social Security Act; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

**Special Committee on Veterans, Chairman Day reporting:**

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HJR 71**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1784**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1788** and **HB 1882**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 70**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1426**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1463**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1616**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1626**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1690**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1704**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1773**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1790**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1876 & 1877**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2065**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2081**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

#### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1368, HB 1689, HB 2055 and HCS HB 2056**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2344**, introduced by Representative Viebrock, relating to child support liens.

**HB 2345**, introduced by Representative Cooper (120), relating to notices by the department of natural resources.

**HB 2346**, introduced by Representative Schaaf, relating to a federal reimbursement allowance for air and ground ambulance services.

**HB 2347**, introduced by Representatives Schneider, Meiners, Fisher, Avery, Funderburk, Young, Bivins, Dusenberger, Schoeller, Kasten, Dougherty and Schieffer, relating to personal property assessment.

**HB 2348**, introduced by Representatives Oxford, Yaeger, Low (39), Schieffer, Lampe, Zimmerman, Scavuzzo, Frame, Casey, Wildberger, Chappelle-Nadal, Norr, Todd, Holsman, Harris (110), Darrough, Nasheed, Curls, Storch, Fallert, Daus, Villa, Burnett, Wright-Jones, Page, McClanahan, Moore, Bland, LeVota, Hubbard, McGhee, Brown (50), Meadows, Aull, Roorda, Johnson, Talboy, Rucker, Bruns, Kuessner, Young, George, Liese, Threlkeld and Walton, relating to caseload standards for certain state agencies.

**HB 2349**, introduced by Representatives Darrough, Meadows, Komo, Frame, Page, Donnelly, Harris (23), Roorda, Walsh, Schoemehl, Yaeger, George, Baker (25), Rucker, Oxford, Chappelle-Nadal, Daus, Wildberger, Corcoran, Salva, Spreng, Brown (50), Scavuzzo, Liese, Young, Zweifel, Storch, Fallert, Lampe, Hodges, LeVota, Talboy, Low (39), Zimmerman, Lowe (44), Quinn (9), Casey, Bland, McGhee, McClanahan and Schieffer, relating to labor organizations.

**HB 2350**, introduced by Representatives Yaeger, Scavuzzo, Meiners and Hodges, relating to merchants' access to credit and debit card rate information.

**HB 2351**, introduced by Representatives Page, Lampe, Robb, Spreng, Harris (23), Zweifel, Oxford, Norr, Schoemehl, Hodges, Yaeger, Nasheed, Darrough, Talboy, George, Wildberger, Roorda, Komo, Dougherty, Shively, Donnelly, Meiners and Schieffer, relating to mandatory insurance for autism.

**HB 2352**, introduced by Representatives Schoeller, Jones (89), Jetton, Smith (150), Skaggs, Zweifel, Meadows, Bandom, Kraus, Holsman, Stevenson, Funderburk, LeVota, Lampe, Tilley, Bringer, Zimmerman, Low (39), Talboy, Page, Kuessner, Parson, Kasten, Scharnhorst, Parkinson and Pratt, relating to the registration of fictitious names.

**HB 2353**, introduced by Representatives Walsh, Fallert, Wildberger, Zimmerman, Donnelly, Bringer, Roorda, Meadows, Schneider, Johnson, Darrough, Kuessner, LeVota, Holsman, Scavuzzo, Robinson, Storch, Lampe, George, Lowe (44), Frame, Burnett, Liese, Casey, Daus, Villa, Kratky, Meiners, Sater, Moore, Curls, Chappelle-Nadal, Jones (117), Faith, Pollock, Wright-Jones, Hughes, Corcoran, Norr, McClanahan and Witte, relating to licensing of child care facilities.

**HB 2354**, introduced by Representative Portwood, relating to medical assistance.

**HB 2355**, introduced by Representatives Flook, Ervin, Baker (123), Schaaf, Onder, Sander, Robb, Page, Yates and Wildberger, relating to certificate of need.

**HB 2356**, introduced by Representative Flook, relating to the admissibility of medical treatment evidence.

**HB 2357**, introduced by Representatives Baker (25), LeVota, Wildberger, Grill, Wallace and Yates, relating to physical education.

**HB 2358**, introduced by Representative Yates, relating to bright flight scholarships.

**HB 2359**, introduced by Representative Wilson (130), relating to notification of network changes by health carriers.

**HB 2360**, introduced by Representative Guest, relating to a memorial highway designation.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, March 6, 2008.

### **COMMITTEE MEETINGS**

#### **AGRICULTURE POLICY**

Thursday, March 6, 2008, 8:00 a.m. Hearing Room 6.  
Executive session may follow. **CORRECTED NOTICE**  
Public hearings to be held on: HB 1941, HB 2167

#### **BUDGET**

Thursday, March 6, 2008, 8:15 a.m. Hearing Room 3.  
Executive session may follow.  
Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2006, HB 2007, HB 2008, HB 2009, HB 2012, HB 2013

#### **BUDGET**

Thursday, March 6, 2008, Hearing Room 3 upon morning adjournment.  
Executive session may follow.  
Public hearings to be held on: HB 2005, HB 2010, HB 2011

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, March 11, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1458, HB 1493, HB 1580, HB 2119, HB 2157, HB 2224

**FISCAL REVIEW**

Thursday, March 6, 2008, 9:00 a.m. House Chamber south gallery.  
Any bills referred to this committee.

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Thursday, March 6, 2008, House Chamber south gallery upon morning adjournment.  
Executive session may follow.  
Public hearings to be held on: HB 1723, HB 1440, HB 1904

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, March 6, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 1620, HB 1791

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, March 6, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearings to be held on: HB 1677, HB 1710, HB 2104, HB 2204

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, March 6, 2008, 8:30 a.m. Hearing Room 4.  
Executive session may follow.  
Public hearings to be held on: HB 2206

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Thursday, March 6, 2008, Hearing Room 7 upon morning adjournment.  
Executive session.

**WAYS AND MEANS**

Thursday, March 6, 2008, 8:30 a.m. Hearing Room 5.  
Possible Executive session.  
Public hearings to be held on: HB 1828, HB 2250, HB 2221, HB 1645

**HOUSE CALENDAR**

THIRTY-FOURTH DAY, THURSDAY, MARCH 6, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2344 through HB 2360

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 1722 - Wallace
- 4 HCS HB 2058 - Pearce
- 5 HCS HB 1326 - Sater

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/04/08)

- 1 HB 1358 - Flook
- 2 HB 1422 - St. Onge
- 3 HB 1469 - Pratt
- 4 HB 1805 - Schaaf
- 5 HB 1983 - Pratt

(3/06/08)

- 1 HB 1426 - Kraus
- 2 HB 1616 - Ruzicka
- 3 HCS HB 1690 - Wilson (130)
- 4 HCS HBs 1876 & 1877 - Cunningham (86)
- 5 HB 2065 - Young
- 6 HB 2081 - Dougherty

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1779 - Emery
- 2 HCS HB 1619 - Jones (117)

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1410 - Flook

- 6        HB 1490 - Deeken
- 7        HB 1532 - Davis
- 8        HB 1570 - Franz
- 9        HB 1572 - Franz
- 10       HB 1574 - Jones (117)
- 11       HB 1608 - Ervin
- 12       HB 1640 - Schoeller
- 13       HB 1711 - Weter
- 14       HB 1972 - Franz
- 15       HB 1973 - Franz
- 16       HB 1368 - Thomson
- 17       HB 1689 - Wilson (130)
- 18       HB 2055 - Viebrock
- 19       HCS HB 2056 - Viebrock

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1        HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2        HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3        HCR 19, (2-21-08, Pages 305-306) - Sander

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-FOURTH DAY, THURSDAY, MARCH 6, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Lord, Eternal God,  
As we begin this day's session,  
We do so with the awareness  
Of Your presence,  
Within the center of our very selves.

Without Your presence our work  
Would be empty and we would be empty.

Grant us a share in Your wisdom and Your vision;  
Gift us with gentle humor and humility,  
That we might work together productively  
Accomplishing good things for the people of our State.

We pray to You, our God,  
Who lives and reigns forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Samantha Buchanan, Blake Litty, Stacie Bachmann, Brittany Sides, Lindsey Kelly, Mark Talley, Katherine Lela Wilhelm and Kathleen Elise Wilhelm.

The Journal of the thirty-third day was approved as printed.

## SPECIAL RECOGNITION

The Missouri State University Pride Band was introduced by Representative Lampe and recognized for leading the 119<sup>th</sup> Tournament of Roses Parade on January 1, 2008.

The Oddly Charged Particles LEGO League Robotics Team was introduced by Representative St. Onge and recognized for attaining the Champion's Award at the 2007-2008 Missouri State Championship.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 945 through House Resolution No. 963

## HOUSE CONCURRENT RESOLUTION

Representative Onder, et al., offered House Concurrent Resolution No. 32.

## SECOND READING OF HOUSE BILLS

**HB 2344** through **HB 2360** were read the second time.

Representative Richard assumed the Chair.

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HB 1619** - Fiscal Review (Fiscal Note)

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1619** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF HOUSE BILLS

**HCS HB 1779**, relating to telecommunications services, was taken up by Representative Emery.

On motion of Representative Emery, **HCS HB 1779** was read the third time and passed by the following vote:

AYES: 130

Avery	Baker 123	Bivins	Brandom	Brown 30
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Corcoran	Cox	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Haywood
Hobbs	Holsman	Hoskins	Hubbard	Hughes
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows



Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Mr Speaker

NOES: 022

Aull	Baker 25	Bringer	Burnett	Harris 23
Harris 110	Hodges	LeVota	McClanahan	Oxford
Page	Quinn 9	Scavuzzo	Schieffer	Shively
Skaggs	Swinger	Todd	Wallace	Witte
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Cooper 155	Cunningham 145	Donnelly	Hunter
Kuessner	Lipke	Rucker	Wildberger	

VACANCIES: 002

Representative Richard declared the bill passed.

**HCS HB 1619**, relating to a drug monitoring act, was taken up by Representative Jones (117).

Representative Nieves assumed the Chair.

On motion of Representative Jones (117), **HCS HB 1619** was read the third time and passed by the following vote:

AYES: 084

Aull	Brandom	Bringer	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Day
Deeken	Denison	Dethrow	Dixon	Faith
Fisher	Franz	Funderburk	Grisamore	Harris 23
Hobbs	Hodges	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Lampe	Liese	Loehner	McClanahan	Meadows
Moore	Munzlinger	Nance	Nieves	Onder
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Ruestman	Ruzicka	Salva	Sater
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Smith 14	Smith 150

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St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Mr Speaker	

NOES: 069

Avery	Baker 25	Baker 123	Bivins	Bland
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Davis
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Fallert	Fares	Flook	Frame	George
Grill	Guest	Harris 110	Haywood	Holsman
Hoskins	Hubbard	Hughes	Johnson	Kratky
Kraus	Lembke	LeVota	Low 39	Lowe 44
May	McGhee	Meiners	Muschany	Nolte
Norr	Oxford	Portwood	Robinson	Sander
Scavuzzo	Schaaf	Schoemehl	Silvey	Skaggs
Spreng	Stevenson	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wright-Jones
Yaeger	Yates	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 008

Donnelly	Kuessner	Lipke	Marsh	Nasheed
Rucker	Wildberger	Zweifel		

VACANCIES: 002

Representative Nieves declared the bill passed.

### **THIRD READING OF HOUSE BILL - CONSENT**

**HB 1490**, relating to the local government retirement system, was taken up by Representative Deeken.

**HB 1490** was laid over.

Speaker Pro Tem Pratt resumed the Chair.

### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 73** - Special Committee on General Laws

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1624** - Judiciary  
**HB 1633** - Special Committee on Utilities  
**HB 1684** - Crime Prevention and Public Safety  
**HB 1735** - Special Committee on General Laws  
**HB 1744** - Special Committee on Utilities  
**HB 1796** - Special Committee on Utilities  
**HB 1812** - Ways and Means  
**HB 1870** - Crime Prevention and Public Safety  
**HB 2059** - Special Committee on General Laws  
**HB 2145** - Special Committee on Utilities  
**HB 2241** - Judiciary  
**HB 2258** - Special Committee on State Parks and Waterways  
**HB 2260** - Special Committee on Job Creation and Economic Development  
**HB 2261** - Special Committee on Agri-business  
**HB 2278** - Special Committee on General Laws  
**HB 2279** - Special Committee on Utilities  
**HB 2282** - Special Committee on Health Insurance  
**HB 2295** - Special Committee on Financial Institutions  
**HB 2301** - Special Committee on General Laws  
**HB 2302** - Special Committee on Workforce Development and Workplace Safety  
**HB 2307** - Special Committee on State Parks and Waterways  
**HB 2308** - Special Committee on Workforce Development and Workplace Safety  
**HB 2309** - Special Committee on Workforce Development and Workplace Safety  
**HB 2310** - Special Committee on Workforce Development and Workplace Safety  
**HB 2321** - Special Committee on Agri-business  
**HB 2328** - Conservation and Natural Resources  
**HB 2333** - Special Committee on Tax Reform  
**HB 2341** - Corrections and Public Institutions  
**HB 2353** - Local Government  
**HB 2360** - Transportation

### **RE-REFERRAL OF HOUSE BILLS**

The following House Bills were re-referred to the Committee indicated:

**HB 1361** - Judiciary  
**HB 2210** - Special Committee on General Laws  
**HB 2213** - Special Committee on Student Achievement

## COMMITTEE REPORTS

**Committee on Agriculture Policy**, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 2174**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1807**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1546**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1611**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1946**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Financial Institutions**, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **HB 1474**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **HB 1617**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **HB 1809** and **HB 2173**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **HB 1864**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **HB 2188**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 1791**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 2064**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Retirement**, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1677**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 2104**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **HB 2204**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 1644**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1828**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 74**, introduced by Representatives Bruns, Jones (117), Roorda, Sander, Walsh, Ruzicka and Wildberger, relating to emergency telephone services.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2361**, introduced by Representatives Jones (89), Meadows, Skaggs, Onder, Schoeller, Roorda, Munzlinger, Jones (117), Wallace, Wood, Scharnhorst, Kraus, Kelly, Parkinson, Deeken, Loehner, Nance, Viebrock, Stevenson, Wildberger, Walsh, Robinson, Spreng, Vogt and Kratky, relating to a tax credit for peace officers.

**HB 2362**, introduced by Representative Jones (89), relating to unemployment compensation.

**HB 2363**, introduced by Representatives Dusenberg, Yates and Brown (30), relating to criminal history records information.

**HB 2364**, introduced by Representative Villa, relating to civil actions against government entities, agents, officers, and employees.

**HB 2365**, introduced by Representative Pratt, relating to the asbestos and silica claims priorities act.

**HB 2366**, introduced by Representatives Parkinson, Ruestman, Grisamore, Sander, Onder, Smith (14), Nolte, Nieves, Tilley, Munzlinger, Pratt, Smith (150), Faith, Scharnhorst and Jetton, relating to driver's license fraud.

**HB 2367**, introduced by Representative Villa, relating to certain public administrators.

**HB 2368**, introduced by Representatives Roorda, Page, Darrough, Harris (23), Bruns and Donnelly, relating to enhanced penalties for intoxication-related offenses.

**HB 2369**, introduced by Representatives Roorda, Yaeger, Oxford, Meadows, Darrough, Komo, Quinn (9), Todd, Kuessner, Brown (50), Walsh, Holsman, Scavuzzo, Lampe, Storch, Salva, Norr, Fallert, Robinson, Dougherty, Skaggs, George, Corcoran, Kratky, Lowe (44), Walton, Curls, Frame, Grill, Wright-Jones, LeVota, Meiners, Talboy, Spreng, Hughes, Low (39), Casey, Page, Harris (110), Nasheed, Schoemehl, Wildberger, Hodges, Aull, Liese, Burnett, Bland, Shively and McClanahan, relating to the informed growth act.

**HB 2370**, introduced by Representatives Portwood, Davis, McGhee, Wilson (119), Nieves, Harris (110), Walton, Parson, Wallace, Chappelle-Nadal, Viebrock, Sander, Emery, Kelly, Fisher, Meiners, El-Amin, Dougherty, Hubbard, Hoskins, Komo, Funderburk, Oxford, Schad, Jones (117), Grisamore, Franz, Low (39), Hughes, Self, Jetton and Dixon, relating to the practice of midwifery.

**HB 2371**, introduced by Representatives Harris (23), George, Wildberger, Schoemehl, Page, Darrough and Kraus, relating to the child predation prevention act of 2008.

**HB 2372**, introduced by Representatives Harris (23), George, Darrough, Oxford and Meiners, relating to unsolicited commercial electronic mail.

**HB 2373**, introduced by Representatives Harris (23) and Roorda, relating to enhanced penalties for high blood alcohol content.

**HB 2374**, introduced by Representative Cox, relating to the crime of failure to adequately control an animal.

**HB 2375**, introduced by Representatives Hubbard, Oxford, Spreng, Daus, Schoemehl, Walsh, Walton, Meiners and Harris (110), relating to the death penalty.

**HB 2376**, introduced by Representatives Grisamore, Lampe, Wallace, Wood, Moore, Yates, Dusenberg, Fisher, Nance, Schad, Kraus, Stream, Ruzicka, Aull and Corcoran, relating to the identification, assessment, education, and services for handicapped and severely handicapped students in public school districts.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 720**, entitled:

An act to amend chapter 393, RSMo, by adding thereto one new section relating to hot weather maintenance of utility service.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 778**, entitled:

An act to amend chapter 167, RSMo, by adding thereto one new section relating to immunizations against the human papillomavirus.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 781**, entitled:

An act to repeal section 535.040, RSMo, and to enact in lieu thereof one new section relating to landlord-tenant actions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 788**, entitled:

An act to repeal sections 43.543, 105.711, 135.520, 148.330, 209.285, 214.270, 256.453, 285.230, 320.082, 324.050, 324.128, 324.159, 324.200, 324.203, 324.240, 324.243, 324.400, 324.406, 324.475, 324.526, 325.010, 326.265, 327.051, 328.050, 329.025, 329.028, 329.210, 330.190, 331.100, 332.041, 332.327, 333.221, 334.123, 334.240, 334.400, 334.702, 334.735, 334.746, 334.800, 335.036, 336.160, 337.010, 337.090, 337.500, 337.600, 337.700, 338.130, 339.120, 339.507, 340.212, 345.035, 346.010, 354.305, 361.010, 361.092, 361.140, 361.160, 362.109, 362.332, 362.910, 367.500, 370.366, 374.045, 374.070, 374.075, 374.085, 374.115, 374.180, 374.202, 374.217, 374.220, 374.250, 374.456, 375.001, 375.261, 375.923, 381.410, 383.030, 407.020, 407.1085, 408.233, 408.570, 436.005, 443.803, 620.010, 620.105, 620.106, 620.111, 620.120, 620.125, 620.127, 620.130, 620.132, 620.135, 620.140, 620.145, 620.146, 620.148, 620.149, 620.150, 620.151, 620.153, 620.154, and 620.1063, RSMo, and to enact in lieu thereof one hundred thirteen new sections relating to reorganization of the department of insurance, financial institutions and professional registration, in keeping with Executive Order 06-04, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 806**, entitled:

An act to amend chapter 9, RSMo, by adding thereto one new section relating to display of flags on government buildings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 818 & 795**, entitled:

An act to repeal sections 160.261, 565.090, and 565.225, RSMo, and to enact in lieu thereof three new sections relating to crimes of harassment, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 958**, entitled:

An act to repeal section 537.340, RSMo, and to enact in lieu thereof one new section relating to tree trimming.

In which the concurrence of the House is respectfully requested.



The following member's presence was noted: Wildberger.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, March 10, 2008.

### **COMMITTEE MEETINGS**

#### **BUDGET**

Monday, March 10, 2008, 9:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012

#### **BUDGET**

Tuesday, March 11, 2008, Hearing Room 3 upon morning adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012

#### **BUDGET**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012

#### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, March 11, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1458, HB 1493, HB 1580, HB 2119, HB 2157, HB 2224

#### **ELECTIONS**

Tuesday, March 11, 2008, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 2114

#### **JUDICIARY**

Tuesday, March 11, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1621, HB 1885, HB 1894, HB 1930, HB 1978, HB 1996, HB 2194, HB 2212, HB 2239

**RULES - PURSUANT TO RULE 25(21)(f)**

Monday, March 10, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCS HB 1802, HB 1869, HB 1881, HB 2226, HB 1345, HB 1419, HB 1946, HB 1677, HB 1828, HCS HB 2104, HCS HB 1807, HCS HB 2174, HCS HB 2204, HCS HB 1611, HCS HB 1942, HB 1832, HCS HBs 1788 & 1882, HCS HB 1550, HCR 16, HCR 11, HCR 18

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, March 11, 2008, 2:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1994, HB 2125, HB 1666, HB 1861

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Tuesday, March 11, 2008, House Chamber south gallery upon morning adjournment.

Executive session.

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, March 11, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1585, HB 1883

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Monday, March 10, 2008, 3:00 p.m. Hearing Room 6.

Executive session.

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, March 11, 2008, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1957

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, March 12, 2008, 2:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1919, HB 2117

**HOUSE CALENDAR**

THIRTY-FIFTH DAY, MONDAY, MARCH 10, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 74

**HOUSE BILLS FOR SECOND READING**

HB 2361 through HB 2376

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood
- 3 HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 1722 - Wallace
- 4 HCS HB 2058 - Pearce
- 5 HCS HB 1326 - Sater
- 6 HCS#2 HB 1463 - Nolte
- 7 HCS HB 1626 - Emery
- 8 HCS HB 1836 - Flook
- 9 HB 1773 - Funderburk

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/04/08)

- 1 HB 1358 - Flook
- 2 HB 1422 - St. Onge
- 3 HB 1469 - Pratt
- 4 HB 1805 - Schaaf
- 5 HB 1983 - Pratt

(3/06/08)

- 1 HB 1426 - Kraus
- 2 HB 1616 - Ruzicka
- 3 HCS HB 1690 - Wilson (130)
- 4 HCS HBs 1876 & 1877 - Cunningham (86)
- 5 HB 2065 - Young
- 6 HB 2081 - Dougherty

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1410 - Flook
- 6 HB 1490 - Deeken
- 7 HB 1532 - Davis
- 8 HB 1570 - Franz
- 9 HB 1572 - Franz
- 10 HB 1574 - Jones (117)
- 11 HB 1608 - Ervin
- 12 HB 1640 - Schoeller
- 13 HB 1711 - Weter
- 14 HB 1972 - Franz
- 15 HB 1973 - Franz
- 16 HB 1368 - Thomson
- 17 HB 1689 - Wilson (130)
- 18 HB 2055 - Viebrock
- 19 HCS HB 2056 - Viebrock

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 720
- 2 SS SCS SB 778
- 3 SCS SB 781
- 4 SCS SB 788
- 5 SCS SB 806
- 6 SS SCS SBs 818 & 795
- 7 SB 958

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-FIFTH DAY, MONDAY, MARCH 10, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Heavenly Father, many are the wonders You have done. The things You planned for us no one can recount to You; were we to speak and tell of them, they would be too many to declare.

We are very much aware that, by Your grace, a great door of opportunity has been opened to us to influence a culture for generations to come. In light of this, may we daily examine ourselves concerning our motives, plans, purposes, and pursuits.

We thank You, Lord God, for glimpses of what can be accomplished as we work together for the betterment of our state and its populace. Grant us wisdom beyond our natural understanding, skills beyond our natural abilities and patience beyond our breaking points.

Praise, glory, wisdom, thanks, honor, power, and strength be to You, forever and ever!

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-fourth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 964 through House Resolution No. 984

## SECOND READING OF HOUSE JOINT RESOLUTION

**HJR 74** was read the second time.

## SECOND READING OF HOUSE BILLS

**HB 2361** through **HB 2376** were read the second time.

## SECOND READING OF SENATE BILLS

**SCS SB 720**, **SS SCS SB 778**, **SCS SB 781**, **SCS SB 788**, **SCS SB 806**, **SS SCS SBs 818 & 795** and **SB 958** were read the second time.

## PERFECTION OF HOUSE BILLS

**HCS HB 1722**, relating to school safety and liability, was taken up by Representative Wallace.

Representative Bringer offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1722, Page 17, Section 167.630, Line 13, by inserting after all of said line the following:

"168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the background check shall be conducted on drivers employed by the school district or employed by a pupil transportation company under contract with the school district.

2. In order to facilitate the criminal history background check on any person employed after January 1, 2005, the applicant shall submit two sets of fingerprints collected pursuant to standards determined by the Missouri highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the family care safety registry pursuant to sections 210.900 to 210.936, RSMo, and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530, RSMo.

5. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

6. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

7. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

**8. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for at least a period of one year and transferrable from one school district to another district. A teacher's change in type of certification shall have no effect on the transferability of such records.**

9. Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.

[9.] **10.** The state board of education may promulgate rules for criminal history background checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 1** was adopted.

Representative Schoeller assumed the Chair.

On motion of Representative Wallace, **HCS HB 1722, as amended**, was adopted.

On motion of Representative Wallace, **HCS HB 1722, as amended**, was ordered perfected and printed.

**HCS HB 1326**, relating to a tax deduction for hybrid vehicles, was taken up by Representative Sater.

Representative Frame offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1326, Section 143.114, Page 1, Line 11, by inserting after the phrase "**qualified hybrid vehicle**" on said line the phrase "**from an American manufacturer, where the value of the labor and parts needed to manufacture the hybrid vehicle and the profits received by the American manufacturer equal at least a majority of the hybrid vehicle's fair market value,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Funderburk offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1326, Section 143.114, Page 1, Line 11, by inserting after the words "**qualified hybrid vehicle**" the following:

"**manufactured in the United States**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Funderburk, **House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 147

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill

Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 25	Cooper 120	Cooper 155	Donnelly
Harris 23	Holsman	Hunter	Sander	Threlkeld
Vogt	Walton	Wright-Jones	Zweifel	

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Sater, **HCS HB 1326, as amended**, was adopted.

On motion of Representative Sater, **HCS HB 1326, as amended**, was ordered perfected and printed.

**HCS HB 2058**, relating to business development tax incentives, was taken up by Representative Pearce.

**HCS HB 2058** was laid over.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1570**, relating to guardians ad litem, was taken up by Representative Franz.



On motion of Representative Franz, **HB 1570** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 25	Cooper 120	Cooper 155	Day
Donnelly	Harris 23	Holsman	Quinn 9	Sander
Threlkeld	Vogt	Walton	Wildberger	Wright-Jones
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Faith assumed the Chair.

**HB 1640**, relating to birth certificates, was taken up by Representative Schoeller.

**HB 1640** was laid over.

Speaker Pro Tem Pratt resumed the Chair.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was referred to the Committee indicated:

**HCR 30** - Special Committee on Utilities

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1801** - Judiciary

**HB 2311** - Special Committee on Workforce Development and Workplace Safety

**HB 2352** - Judiciary

**HB 2365** - Special Committee on Workforce Development and Workplace Safety

**HB 2366** - Special Committee on Immigration

### **COMMITTEE REPORTS**

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1355**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1888**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1995**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1723**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1804**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1904**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1910**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HCS HB 1886**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 2147**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2377**, introduced by Representatives Flook, Storch, Ervin, Grisamore, Cunningham (86), Hughes, Kraus and Bruns, relating to business finance programs.

**HB 2378**, introduced by Representatives Flook, Cunningham (86), Grisamore, Hughes, Meiners and Kraus, relating to the state legal expense fund.

**HB 2379**, introduced by Representatives Flook, Yates, Nieves, Stevenson and Meiners, relating to an income tax deduction for membership fees for health clubs.

**HB 2380**, introduced by Representative Tilley, relating to building commissions.

**HB 2381**, introduced by Representatives Stevenson, Brandom, Ruestman, Fisher, Wood, Wasson, Schneider, Cooper (120), Bruns, Daus, Schoeller, Nasheed and Guest, relating to landlord-tenant actions.

**HB 2382**, introduced by Representatives Stevenson, Ruestman, Meiners and Nasheed, relating to deceptive television advertisements for legal services.

**HB 2383**, introduced by Representatives Stevenson, Fisher, Munzlinger and Daus, relating to earthquake insurance.

**HB 2384**, introduced by Representatives Stevenson, Silvey, Fisher and Schad, relating to punishment for certain crimes against a child under the age of twelve.

**HB 2385**, introduced by Representative Stevenson, relating to vehicles abandoned at automobile repair businesses.

**HB 2386**, introduced by Representatives Roorda, Page, Meiners, Weter, Meadows, Schieffer, Fallert, Lowe (44) and Corcoran, relating to use of automated external defibrillators.

**HB 2387**, introduced by Representatives Roorda, Meadows, Komo, Liese, Burnett, Talboy, Young, Yaeger, Scavuzzo, Hodges, Harris (110), Fallert, Grill, Todd, Quinn (9), Casey, Oxford, Kratky, Darrough, Brown (50), Schoemehl, Shively, Wildberger, Robinson, Page, Frame, Spreng, Walsh, LeVota, Dougherty, Corcoran and Lowe (44), relating to occupational safety and health administration training requirements for certain employees.

**HB 2388**, introduced by Representatives Roorda and Meadows, relating to safety belts.

**HB 2389**, introduced by Representatives Roorda, Schieffer, Meadows and Komo, relating to neutral site child custody exchange.

**HB 2390**, introduced by Representatives Roorda, Harris (110), Wildberger, Meadows, Flook, Onder, Moore and Schieffer, relating to cord blood collection.

**HB 2391**, introduced by Representatives Roorda and Darrough, relating to notification to the public of the date, time, and location of certain juvenile hearings.

**HB 2392**, introduced by Representatives Roorda, George and Komo, relating to tracking of sex offenders.

**HB 2393**, introduced by Representatives Richard, Pearce, Brown (30), LeVota, Grill, Rucker and Skaggs, relating to enhanced enterprise zones.

**HB 2394**, introduced by Representatives Ervin, Schaaf, Flook, Kingery and Baker (123), relating to transparency in pricing and quality of health care services.

**HB 2395**, introduced by Representatives Villa, Daus, Nasheed, Oxford and Hubbard, relating to economic activity taxes.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 885**, entitled:

An act to repeal section 210.861, RSMo, and to enact in lieu thereof one new section relating to the community children's services fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 925**, entitled:

An act to amend chapter 162, RSMo, by adding thereto one new section relating to school district records.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1009**, entitled:

An act to repeal section 381.412, RSMo, and to enact in lieu thereof one new section relating to the acceptance of funds by settlement agents, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Cooper (120) and Vogt.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, March 11, 2008.

### **COMMITTEE MEETINGS**

#### **BUDGET**

Tuesday, March 11, 2008, Hearing Room 3 upon morning adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

#### **BUDGET**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

#### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 2039, HB 2328, HB 2196

**CORRECTIONS AND PUBLIC INSTITUTIONS**

Tuesday, March 11, 2008, 2:00 p.m. Hearing Room 4.

Executive session may follow

Public hearings to be held on: HB 2255, HB 2341

**CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, March 11, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1458, HB 1493, HB 1580, HB 2119, HB 2157, HB 2224

**ELECTIONS**

Tuesday, March 11, 2008, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 2114

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, March 12, 2008, 5:00 p.m. Hearing Room 5.

Public hearings to be held on: HCR 26, HB 1745

**HEALTH CARE POLICY**

Tuesday, March 11, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow. CORRECTED NOTICE.

Public hearings to be held on: HB 1408, HB 1709, HB 2243

**HIGHER EDUCATION**

Tuesday, March 11, 2008, 5:00 p.m. Hearing Room 1.

Executive session may follow

Public hearing to be held on: HB 1577

**JUDICIARY**

Tuesday, March 11, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow AMENDED

Public hearings to be held on: HB 1621, HB 1885, HB 1894, HB 1930,

HB 1978, HB 1996, HB 2194, HB 2212, HB 2239, HB 2241

**RULES - PURSUANT TO RULE 25(21)(f)**

Tuesday, March 11, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HCS HB 1802, HB 1869, HB 1881, HB 2226, HB 1345, HB 1419, HB 1946, HB 1677, HB 1828, HCS HB 2104, HCS HB 1807, HCS HB 2174, HCS HB 2204, HCS HB 1611, HCS HB 1942, HB 1832, HCS HBs 1788 & 1882, HCS HB 1550, HCR 16, HCR 11, HCR 18

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, March 11, 2008, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 2261, HB 2321

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, March 11, 2008, 2:00 p.m. Hearing Room 1.

Possible Executive session.

Public hearings to be held on: HB 1994, HB 2125, HB 1666, HB 1861

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 1758

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Tuesday, March 11, 2008, House Chamber south gallery upon morning adjournment.

Executive session.

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, March 11, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1539, HB 1599, HB 1765, HB 2029

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, March 11, 2008, 3:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1627, HB 2076, HB 1990, HB 1815

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, March 12, 2008, 4:00 p.m. Hearing Room 4.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Public hearing to be held on: HB 2240

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2260, HB 2156

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, March 12, 2008, House Chamber south gallery upon morning adjournment.

Executive session.

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, March 11, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearing to be held on: HB 1883

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2040, HB 2109, HB 2111, HB 2213

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, March 11, 2008, 12:00 p.m. Hearing Room 4.

Executive session to follow.

Public hearing to be held on: HB 2333

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, March 11, 2008, 5:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 1957

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, March 12, 2008, 2:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1919, HB 2117

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, March 11, 2008, 1:30 p.m. Hearing Room 7.

Executive session may follow

Public hearings to be held on: HB 2062, HB 1813

**TRANSPORTATION**

Tuesday, March 11, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1974, HB 1952, HB 1895, HB 1589, HB 2360

**HOUSE CALENDAR**

THIRTY-SIXTH DAY, TUESDAY, MARCH 11, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2377 through HB 2395

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood
- 3 HCS HJR 70 - Icet



**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS#2 HB 1463 - Nolte
- 5 HCS HB 1626 - Emery
- 6 HCS HB 1836 - Flook
- 7 HB 1773 - Funderburk

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/04/08)

- 1 HB 1358 - Flook
- 2 HB 1422 - St. Onge
- 3 HB 1469 - Pratt
- 4 HB 1805 - Schaaf
- 5 HB 1983 - Pratt

(3/06/08)

- 1 HB 1426 - Kraus
- 2 HB 1616 - Ruzicka
- 3 HCS HB 1690 - Wilson (130)
- 4 HCS HBs 1876 & 1877 - Cunningham (86)
- 5 HB 2065 - Young
- 6 HB 2081 - Dougherty

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1410 - Flook
- 6 HB 1490 - Deeken
- 7 HB 1532 - Davis
- 8 HB 1572 - Franz

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- 9        HB 1574 - Jones (117)
- 10       HB 1608 - Ervin
- 11       HB 1640 - Schoeller
- 12       HB 1711 - Weter
- 13       HB 1972 - Franz
- 14       HB 1973 - Franz
- 15       HB 1368 - Thomson
- 16       HB 1689 - Wilson (130)
- 17       HB 2055 - Viebrock
- 18       HCS HB 2056 - Viebrock

**SENATE BILLS FOR SECOND READING**

- 1        SB 885
- 2        SB 925
- 3        SCS SB 1009

**HOUSE CONCURRENT RESOLUTIONS**

- 1        HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2        HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3        HCR 19, (2-21-08, Pages 305-306) - Sander

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-SIXTH DAY, TUESDAY, MARCH 11, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we thank You for the beginnings of springtime, the cool, fresh air and the sunshine, that keep us alert for the work of the day. We thank You for the beginnings of new life revealed in the early green vegetation.

May our joy at seeing new life around us prepare us to respect profoundly human life and dignity. From this foundation, help us to give our best as we work on issues of direct protection of human life and the issues of poverty, health care, education, and whatever is on our agenda.

You, O God, are the author and creator of life. To You be glory and praise forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Devin Rogers, Mary Ann Shelten, Aaron Neier, Kirstie Carr, Joseph Belsher II, Caroline McGowan, Lydia Alferman, Derick Waller, Albertina Henry, Becca Hutchison, Katelyn Gibson, Janae Robinson, Sierra Frank, Simeon Frank, Alex Enloe, Hannah Lewenczuk, Whitney McCune, Cathy Manning, Tyler Kroenke and Trevor Kroenke.

The Journal of the thirty-fifth day was approved as printed.

Representative Nieves assumed the Chair.

## **SPECIAL RECOGNITION**

The family of the late Robert Miget, former Mayor of Perryville, Missouri, was introduced by Representative Tilley and presented a resolution commending his lifetime of public service.

Zach Kinne, 2007-2008 National FFA President, was introduced by Representative Whorton.

Speaker Pro Tem Pratt resumed the Chair.

Sam Houston was introduced by Representative Flook and recognized as an Outstanding Missourian.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 985 through House Resolution No. 997

## **HOUSE CONCURRENT RESOLUTIONS**

Representative Quinn (9), et al., offered House Concurrent Resolution No. 33.  
Representative Sutherland offered House Concurrent Resolution No. 34.  
Representative Sutherland offered House Concurrent Resolution No. 35.  
Representative Ervin, et al., offered House Concurrent Resolution No. 36.

## **SECOND READING OF HOUSE BILLS**

**HB 2377** through **HB 2395** were read the second time.

## **SECOND READING OF SENATE BILLS**

**SB 885**, **SB 925** and **SCS SB 1009** were read the second time.

## **PERFECTION OF HOUSE JOINT RESOLUTIONS**

**HCS HJR 41**, relating to state court jurisdiction, was taken up by Representative Cunningham (86).

Representative Smith (14) offered **House Amendment No. 1**.

Representative Jones (89) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Cunningham (86), **HCS HJR 41** was adopted.

On motion of Representative Cunningham (86), **HCS HJR 41** was ordered perfected and printed.

**HCS HJR 43**, relating to real property tax revenue limitation, was taken up by Representative Portwood.

Representative Skaggs offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 43, Page 1, Lines 1 to 3, by deleting all of said lines and inserting in lieu thereof the following:

"That at the next primary election to be held in the state of Missouri, on Tuesday next following the first Monday in August, 2008, there is hereby submitted to the qualified voters of this state, for"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

On motion of Representative Portwood, **HCS HJR 43** was adopted.

On motion of Representative Portwood, **HCS HJR 43** was ordered perfected and printed.

**PERFECTION OF HOUSE BILL**

**HB 1773**, relating to an exemption for stillborn children, was taken up by Representative Funderburk.

Representative Nieves resumed the Chair.

**HB 1773** was laid over.

**THIRD READING OF HOUSE BILL - CONSENT**

**HB 1711**, relating to emergency services board, was taken up by Representative Weter.

On motion of Representative Weter, **HB 1711** was read the third time and passed by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore

Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Bringer	Frame	Quinn 9	Witte
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PRESENT: 000

ABSENT WITH LEAVE: 006

Harris 23	Parson	Schlottach	Vogt	Walton
Wright-Jones				

VACANCIES: 002

Representative Nieves declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HB 1326** - Fiscal Review (Fiscal Note)

### COMMITTEE REPORTS

**Committee on Corrections and Public Institutions**, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 1372**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 2051**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 2157**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 2224**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 1517**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Financial Institutions**, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **HB 1893**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HJR 49**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 1319**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 1883**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCS HB 1423**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1887**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1937**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1952**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 2360**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 11**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 16**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 18**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1345**, begs leave to report it has examined the same and recommends that it **Do Pass NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1550**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1611**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1677**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1788 & 1882**, begs leave to report it has examined the same and recommends that it **Do Pass**.



Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1802**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1807**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1832**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1869**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1881**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1886**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1942**, begs leave to report it has examined the same and recommends that it **Do Pass NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1946**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2104**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2174**, begs leave to report it has examined the same and recommends that it **Do Pass NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2204**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2226**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

#### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1358, HB 1422, HB 1469, HB 1805 and HB 1983**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2396**, introduced by Representative Munzlinger, relating to county road taxes.

**HB 2397**, introduced by Representatives Funderburk, Storch, Brown (50), Loehner, Wood, Weter, Smith (14) and Ruzicka, relating to school construction contracts.

**HB 2398**, introduced by Representative Schaaf, relating to the insure Missouri plan.

**HB 2399**, introduced by Representatives Lembke, Hubbard, Young, Wasson, Avery, Sutherland, Dusenberg, Dougherty and Tilley, relating to occupational safety and health administration training requirements for certain employees.

**HB 2400**, introduced by Representatives Scharnhorst, Tilley, Hunter, Nasheed, Hoskins, Onder, Muschany, Portwood, Icet, Bivins, El-Amin and Ruestman, relating to the powers and duties of the Missouri electrical industry licensing board.

**HB 2401**, introduced by Representatives Sander and Moore, relating to elevator safety.

**HB 2402**, introduced by Representative Kraus, relating to disabled person license plates and placards.

**HB 2403**, introduced by Representatives Kraus, Yates, Sander, Dougherty and Cunningham (86), relating to school board elections.

**HB 2404**, introduced by Representatives Hubbard and El-Amin, relating to the Missouri 4 for more program.

**HB 2405**, introduced by Representative Sutherland, relating to a sales tax holiday for certain digital electronic products.

**HB 2406**, introduced by Representative Deeken, relating to the sale of or distribution of tobacco products by persons under eighteen years of age.

**HB 2407**, introduced by Representative Ervin, relating to the suspension of driver's licenses and motor vehicle registrations for failing to pay towing charges.

The following members' presence was noted: Parson, Schlottach, Vogt and Wright-Jones.

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, March 12, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, March 13, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1884

### **BUDGET**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2001, HB 2002, HB 2003, HB 2004, HB 2005, HB 2006, HB 2007, HB 2008, HB 2009, HB 2010, HB 2011, HB 2012, HB 2013

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 2039, HB 2328, HB 2196

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, March 12, 2008, 5:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HCR 26, HB 1745

### **FISCAL REVIEW**

Thursday, March 13, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

### **HEALTH CARE POLICY**

Wednesday, March 12, 2008, House Chamber south gallery upon morning adjournment.

Executive session.

### **LOCAL GOVERNMENT**

Wednesday, March 12, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 2045, HB 2047, HB 2353

### **RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, March 12, 2008, 2:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCS HB 2188, HCS HB 1644, HB 1319, HCS HB 1904, HCS HB 1804, HCS HB 1707, HB 1706, HB 1784, HB 1710, HB 1995, HB 1864, HB 1617, HB 1791, HCS HB 1723, HCS HB 1910, HCS HB 2147, HCS HB 1546, HCS HB 1355, HCS HB 1809 & 2173, HCS HB 2064, HCS HB 1888, HCS HB 2360, HCS HB 1893, HCS HB 1883

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Wednesday, March 12, 2008, House Chamber south gallery upon morning adjournment.  
Executive session.

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearing to be held on: HB 1758

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, March 12, 2008, 4:00 p.m. Hearing Room 4.  
Executive session may follow.  
Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.  
Public hearing to be held on: HB 2240

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, March 12, 2008, 5:00 p.m. Hearing Room 7.  
Executive session will follow.  
Public hearings to be held on: HB 2366, HB 1395

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 2260, HB 2156

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Wednesday, March 12, 2008, House Chamber south gallery upon morning adjournment.  
Executive session.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, March 13, 2008, 8:00 a.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 2057, HB 2228

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, March 12, 2008, 5:00 p.m. Hearing Room 1.  
Executive session.

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Wednesday, March 12, 2008, 3:00 p.m. House Chamber north gallery.  
Executive session will follow.  
Public hearing to be held on: HB 2258

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, March 12, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2040, HB 2109, HB 2111, HB 2213

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, March 12, 2008, 2:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1919, HB 2117

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, March 12, 2008, 12:00 p.m. Hearing Room 5.

Chairman Davis's presentation is being rescheduled for April 2, 2008.

Executive session may follow. AMENDED

Public hearing to be held on: HCR 30

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, March 12, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2311, HB 1808, HB 2365

**HOUSE CALENDAR**

THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 12, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2396 through HB 2407

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS#2 HB 1463 - Nolte
- 5 HCS HB 1626 - Emery
- 6 HCS HB 1836 - Flook
- 7 HB 1773 - Funderburk

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/06/08)

- 1 HB 1426 - Kraus
- 2 HB 1616 - Ruzicka
- 3 HCS HB 1690 - Wilson (130)
- 4 HCS HBs 1876 & 1877 - Cunningham (86)
- 5 HB 2065 - Wasson
- 6 HB 2081 - Dougherty

(3/12/08)

- 1 HCS HB 1611 - Dixon
- 2 HB 1677 - Franz
- 3 HCS HB 1807 - Cox
- 4 HB 1869 - Wilson (130)
- 5 HB 1881 - Schlottach
- 6 HB 1946 - Franz
- 7 HCS HB 2104 - Viebrock
- 8 HCS HB 2204 - Ervin
- 9 HB 2226 - Muschany

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326, (Fiscal Review 3-11-08) - Sater

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1410 - Flook
- 6 HB 1490 - Deeken
- 7 HB 1532 - Davis
- 8 HB 1572 - Franz
- 9 HB 1574 - Jones (117)

- 10 HB 1608 - Ervin
- 11 HB 1640 - Schoeller
- 12 HB 1972 - Franz
- 13 HB 1973 - Franz
- 14 HB 1368 - Thomson
- 15 HB 1689 - Wilson (130)
- 16 HB 2055 - Viebrock
- 17 HCS HB 2056 - Viebrock
- 18 HB 1358 - Flook
- 19 HB 1422 - St. Onge
- 20 HB 1469 - Pratt
- 21 HB 1805 - Schaaf
- 22 HB 1983 - Pratt

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-SEVENTH DAY, WEDNESDAY, MARCH 12, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God Almighty, we are thankful that Your mercy is not withheld from us; Your love and Your truth protect us at all times.

Heavenly Father, continually remind us that the completion of the work here before us, is not the final passing of a law, but its long term effect upon the people it is intended to assist. Help us, Lord God, to legislate with the proper forethought and comprehension.

May we be uniquely aware of Your presence and influence in all we say and do whether here or at home during the upcoming break. May we return refreshed, strengthened and prepared for the intensity of the latter half of this session.

Now unto You, Who alone is wise, be glory and majesty, dominion and power, both now and forever.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Isaac Wade Parker, Clara Elizabeth Parker, Ryan Higginbotham, Keely Strong, Mary Catherine Brown, Boyd Macdonald, Jordan Young, Savannah Frame, Alec Rush, Elizabeth Paige Kunkel, Elizabeth Stepp and Andrew Stepp.

The Journal of the thirty-sixth day was approved as printed by the following vote:

AYES: 090

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst



Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 066

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 005

Baker 25	Harris 23	Marsh	Meadows	Walton
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VACANCIES: 002

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 998 through House Resolution No. 1086

## SECOND READING OF HOUSE BILLS

**HB 2396** through **HB 2407** were read the second time.

## PERFECTION OF HOUSE BILL

**HCS#2 HB 1463**, relating to college admission of illegal aliens, was taken up by Representative Nolte.

Representative Chappelle-Nadal offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute No. 2 for House Bill No. 1463, Page 3, Section 178.785, Line 5, by inserting after all of said line the following:

**"Section 1. No institution of higher education shall be required to comply with the provisions of this bill if such institution has to raise private funds to do so.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Chappelle-Nadal moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 035

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	El-Amin	Flook	Haywood
Holsman	Hoskins	Hubbard	Hughes	Johnson
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Oxford	Roorda	Skaggs
Spreng	Storch	Talboy	Villa	Vogt
Walsh	Wright-Jones	Young	Zimmerman	Mr Speaker

NOES: 116

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Baker 25	Donnelly	Harris 23	Hunter
Marsh	Meadows	Walton	Wildberger	Zweifel

VACANCIES: 002

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Roorda offered **House Amendment No. 2**.

Representative Schad raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Wildberger offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute No. 2 for House Bill No. 1463, Page 3, Section 178.780, by deleting all of said section; and

Further amend Page 3, Section 178.785, by deleting all of said section.

Representative Flook offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

Representative Jones (89) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not a true substitute amendment and goes beyond the scope of the underlying amendment.

The Chair ruled the point of order well taken.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 062

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Donnelly	Dusenberg	Harris 23	Marsh
Meadows	Page	Salva	Walton	Zweifel

VACANCIES: 002

Speaker Jetton assumed the Chair.

Representative Wildberger moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 046

Aull	Bland	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Dougherty	George	Haywood	Holsman	Hoskins
Hubbard	Hughes	Johnson	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meiners	Norr	Oxford	Quinn 9	Robinson
Rucker	Schoemehl	Shively	Skaggs	Spreng
Storch	Talboy	Villa	Vogt	Walsh
Whorton	Wildberger	Wright-Jones	Yaeger	Young
Zimmerman				

NOES: 102

Avery	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore

Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker 25	Donnelly	El-Amin	Harris 23	Marsh
McClanahan	Meadows	Page	Roorda	Salva
Stream	Walton	Zweifel		

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 063

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Dougherty	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Quinn 9	Robinson	Roorda

Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Cooper 155	Donnelly	El-Amin	Harris 23
Marsh	Meadows	Page	Sander	Zweifel

VACANCIES: 002

On motion of Representative Nolte, **HCS#2 HB 1463** was adopted.

On motion of Representative Nolte, **HCS#2 HB 1463** was ordered perfected and printed.

## COMMITTEE REPORTS

**Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2002**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2003**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2004**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2005**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2006**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2007**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2008**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2009**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2010**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2011**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2012**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2013**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Corrections and Public Institutions**, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 2060**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1516**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 2106**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Higher Education**, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **HB 2048**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Insurance Policy**, Chairman Yates reporting:

Mr. Speaker: Your Committee on Insurance Policy, to which was referred **HB 1535**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Agri-business**, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **HB 1956**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **HB 2261**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **HB 2321**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Energy and Environment**, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 1510**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 1861**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1427**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1945**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1716**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1923**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1929**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 1981**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 2068**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 2082**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on State Parks and Waterways**, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 2258**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 2213**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 2189**, **HB 2208**, **HB 2178** and **HB 2333**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1783**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1813**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 2062** and **HB 1518**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1319**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1419**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1546**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1617**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1644**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1706**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1707**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1710**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1723**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1784**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1791**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1804**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1809 & 2173**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1828**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1864**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1883**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1888**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1893**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1904**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1910**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1995**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2064**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2147**, begs leave to report it has examined the same and recommends that it **Do Pass NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2188**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2360**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2408**, introduced by Representative Avery, relating to taxation of limited liability companies.

**HB 2409**, introduced by Representatives Walton, Hoskins and Haywood, relating to special purpose districts' employment of police officers.

**HB 2410**, introduced by Representative Sutherland, relating to electronic filing of returns for income, motor fuel, sales, and withholding taxes.

**HB 2411**, introduced by Representatives Spreng, Young, Corcoran, Frame, George, Holsman, Vogt, Dougherty, Lowe (44) and Darrough, relating to a tax credit for recycling construction waste.

**HB 2412**, introduced by Representative Aull, relating to school food services.

**HB 2413**, introduced by Representatives Ervin, Richard, Bivins, Scharnhorst, Flook, Stevenson, Baker (123), Jetton, Nieves, Faith, Nance, Munzlinger, May, Sander, Stream, Pollock, Dethrow, Dusenberg, Pratt, Pearce, Day, Franz, Sutherland, Dixon, Robb, Schoeller, Wilson (130), Cox, Yates, Tilley, Smith (150), Moore, Schneider, Denison, Wells, Bandom, Thomson, Grisamore, Weter, Deeken, Portwood, Jones (89), Funderburk, Kingery, Lipke, Hobbs, Hunter, Emery and Cunningham (145), relating to the insure Missouri program.

**HB 2414**, introduced by Representative Walton, relating to retirement benefits.

**HB 2415**, introduced by Representative Walton, relating to fire protection district board powers.

**HB 2416**, introduced by Representatives Cunningham (86), Meiners, Dusenberg, Bivins, Young, Yaeger, Walsh, Wallace, Salva, Zimmerman and George, relating to dog fighting.

**HB 2417**, introduced by Representative St. Onge, relating to property taxation.

**HB 2418**, introduced by Representative Onder, relating to standardization of quality of care data for health insurance.

**HB 2419**, introduced by Representative Onder, relating to immunizations for school children.

**HB 2420**, introduced by Representative Baker (123), relating to licenses for excursion gambling boats.

**HB 2421**, introduced by Representatives Meiners, McGhee, Scharnhorst, Richard, Funderburk, Jones (89), Smith (14), Hoskins, Holsman, Hunter, Kuessner, Talboy, Brown (50), Hubbard, Rucker, Villa, Baker (25), Schoemehl, LeVota, Curls, Schlottach, Stream, Hobbs, Wildberger, Cunningham (145), Storch, Dougherty, Young, Walsh, Daus, Fallert, Casey, Vogt, Robb, Lowe (44), Darrough, Hughes, Dusenbergh and Denison, relating to liquor licenses for certain festival districts.

**HB 2422**, introduced by Representatives Holsman, Storch, Hughes, Talboy, Roorda, Bland, George, Vogt, Curls, Skaggs, LeVota, Meiners, Walsh, Villa, Daus, Casey, Low (39), Burnett, Grill, Rucker, Wildberger and Yates, relating to the public service commission.

**HB 2423**, introduced by Representatives Holsman, Storch, Zimmerman, Talboy, Page, Hughes, Roorda, Bland, George, Vogt, Komo, Curls, Skaggs, LeVota, Oxford, Kratky, Shively, Norr, Meiners, Hodges, Fallert, Darrough, Chappelle-Nadal, Dougherty, Walsh, Daus, Villa, Casey, Schieffer, McClanahan, Yaeger, Swinger, Aull, Zweifel, Schoemehl, Grill, Low (39), Burnett, Johnson, Rucker, Meadows and Wildberger, relating to medical assistance benefits.

**HB 2424**, introduced by Representatives Holsman, Talboy, Hughes, Roorda, Bland, George, Vogt, Curls, Skaggs, Oxford, Meiners, Chappelle-Nadal, Daus, Frame, Low (39), Burnett and Wildberger, relating to universal health insurance coverage for all children.

**HB 2425**, introduced by Representatives Holsman, Talboy, George, Vogt, Walsh, Meiners, Grill and Wildberger, relating to candidate filing periods.

**HB 2426**, introduced by Representative Holsman, relating to the merchandising practices of children's products.

**HB 2427**, introduced by Representatives Meadows, Flook, Wildberger, Dougherty and Darrough, relating to the regulation of contract carriers that transport railroad employees.

**HB 2428**, introduced by Representative Cox, relating to wells exempted from regulation.

The following member's presence was noted: Marsh.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, March 13, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, March 13, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1884

### **FISCAL REVIEW**

Thursday, March 13, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, March 13, 2008, 9:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 2001, HCS HB 2002, HCS HB 2003, HB 2004, HCS HB 2005, HCS HB 2006, HCS HB 2007, HCS HB 2008, HCS HB 2009, HCS HB 2010, HCS HB 2011, HCS HB 2012, HCS HB 2013

### **SPECIAL COMMITTEE ON HOMELAND SECURITY**

Thursday, March 13, 2008, 9:00 a.m. South Gallery.

Executive session.

Public hearing to be held on: HB 1756

### **SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Thursday, March 13, 2008, 11:00 a.m. House Chamber south gallery.

Hearing will commence at 11:00 a.m. or upon morning adjournment.

Executive session will be held on: HB 2260

### **SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, March 13, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2057, HB 2228

### **WAYS AND MEANS**

Thursday, March 13, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HJR 64, HB 1548, HB 1812

## **HOUSE CALENDAR**

THIRTY-EIGHTH DAY, THURSDAY, MARCH 13, 2008

### **HOUSE BILLS FOR SECOND READING**

HB 2408 through HB 2428

### **HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

### **HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HB 1773 - Funderburk
- 7 HCS#2 HB 1886 - Scharnhorst

### **HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3/06/08)

- 1 HB 1426 - Kraus
- 2 HB 1616 - Ruzicka
- 3 HCS HB 1690 - Wilson (130)
- 4 HCS HBs 1876 & 1877 - Cunningham (86)
- 5 HB 2065 - Wasson
- 6 HB 2081 - Dougherty

(3/12/08)

- 1 HCS HB 1611 - Dixon
- 2 HB 1677 - Franz
- 3 HCS HB 1807 - Cox
- 4 HB 1881 - Schlottach
- 5 HB 1869 - Wilson (130)
- 6 HB 1946 - Franz
- 7 HCS HB 2104 - Viebrock

- 8 HCS HB 2204 - Ervin
- 9 HB 2226 - Muschany

(3/13/08)

- 1 HB 1419 - Portwood
- 2 HCS HB 1546 - Schaaf
- 3 HB 1617 - Cunningham (86)
- 4 HB 1706 - Baker (123)
- 5 HCS HB 1707 - Baker (123)
- 6 HB 1710 - Flook
- 7 HB 1784 - Meadows
- 8 HB 1791 - Cooper (155)
- 9 HCS HB 1804 - Corcoran
- 10 HB 1828 - Sutherland
- 11 HB 1864 - Parson
- 12 HCS HB 1883 - Nance
- 13 HCS HB 1888 - Schoeller
- 14 HCS HB 1893 - Scharnhorst
- 15 HCS HB 1904 - Cox
- 16 HCS HB 1910 - Ervin
- 17 HB 1995 - Schieffer
- 18 HCS HB 2064 - Parson
- 19 HCS HB 2360 - Guest

#### **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326, (Fiscal Review 3-11-08) - Sater
- 3 HCS#2 HB 1463 - Nolte

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1410 - Flook



- 6     HB 1490 - Deeken
- 7     HB 1532 - Davis
- 8     HB 1572 - Franz
- 9     HB 1574 - Jones (117)
- 10    HB 1608 - Ervin
- 11    HB 1640 - Schoeller
- 12    HB 1972 - Franz
- 13    HB 1973 - Franz
- 14    HB 1368 - Thomson
- 15    HB 1689 - Wilson (130)
- 16    HB 2055 - Viebrock
- 17    HCS HB 2056 - Viebrock
- 18    HB 1358 - Flook
- 19    HB 1422 - St. Onge
- 20    HB 1469 - Pratt
- 21    HB 1805 - Schaaf
- 22    HB 1983 - Pratt

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1     HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2     HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3     HCR 19, (2-21-08, Pages 305-306) - Sander

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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THIRTY-EIGHTH DAY, THURSDAY, MARCH 13, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Give thanks to the Lord, for He is good,  
For His kindness endures forever.  
(*Psalms 106:1*)

O Lord, our God, indeed we give You thanks and praise for all the blessings in our lives. This morning, we thank You for the approach of Spring Break, a time to reflect upon the themes of our work, a time to listen to those we represent, a time to celebrate life with our families, a 'pause that refreshes'.

We ask Your blessing upon all those who assist us, especially those who must work during much of the break.

We pray for those who are suffering physical illness, chronic pain, and for all for whom Spring Break is not a break. We pray for those who do not have the physical and mental ability to hold a job that merits a living wage. Help us to see clearly how we are to help them.

We give You thanks, Almighty God, for the good we have accomplished so far during this Second Regular Session of the 94<sup>th</sup> General Assembly.

We pray to You, our Lord and God forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Thomas William Smith III, Michael Regan Smith, Halle Hunter, Jessica Alonso, Kimberly Britton, Storm Willis, Sammy Alvarado, Kenzie Terry and Katie Stajcar.

The Journal of the thirty-seventh day was approved as printed by the following vote:

AYES: 101

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Haywood	Hobbs	Hoskins	Hunter

Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Lembke
Liese	Lipke	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Villa	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Young
Mr Speaker				

NOES: 041

Baker 25	Bringer	Burnett	Curls	Daus
El-Amin	Fallert	Grill	Harris 110	Hodges
Holsman	Hubbard	Hughes	Johnson	Kuessner
Lampe	LeVota	Low 39	Lowe 44	Nasheed
Norr	Page	Quinn 9	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Skaggs	Storch
Swinger	Talboy	Todd	Vogt	Walsh
Whorton	Wildberger	Witte	Yaeger	Zimmerman
Zweifel				

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 018

Bland	Brown 50	Corcoran	Dethrow	Dixon
Donnelly	George	Harris 23	Loehner	McClanahan
Oxford	Pollock	Robinson	Schlottach	Viebrock
Walton	Wright-Jones	Yates		

VACANCIES: 002

## **SPECIAL RECOGNITION**

Speaker Jetton presented Representative Thomas A. Villa a resolution honoring his many years of distinguished service in the Missouri House of Representatives and recognizing his dedicated service to the people of the State of Missouri.

The Lawson High School Cardinals Football Team was introduced by Representative Nance and recognized for attaining the 2007 Class 2 State Championship.

Speaker Pro Tem Pratt assumed the Chair.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1087 through House Resolution No. 1111

## HOUSE CONCURRENT RESOLUTION

Representative Wright-Jones, et al., offered House Concurrent Resolution No. 37.

## SECOND READING OF HOUSE BILLS

**HB 2408** through **HB 2428** were read the second time.

## THIRD READING OF HOUSE BILL - CONSENT

**HB 1410**, relating to police officers' compensation, was taken up by Representative Flook.

On motion of Representative Flook, **HB 1410** was read the third time and passed by the following vote:

AYES: 156

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones

Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 005

Cooper 120	Donnelly	Harris 23	Robinson	Viebrock
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VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### THIRD READING OF HOUSE BILL

**HCS#2 HB 1463**, relating to college enrollment of illegal aliens, was taken up by Representative Nolte.

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Nolte, **HCS#2 HB 1463** was read the third time and passed by the following vote:

AYES: 112

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lembke	Liese	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Mr Speaker			

NOES: 039

Baker 25	Bland	Brown 50	Burnett	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Dougherty
El-Amin	George	Harris 23	Haywood	Holsman
Hoskins	Hubbard	Hughes	Johnson	LeVota
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Oxford	Roorda	Schoemehl	Spreng	Storch
Villa	Vogt	Walsh	Walton	Wildberger
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 002

Lampe                      Norr

ABSENT WITH LEAVE: 008

Dixon	Donnelly	Meadows	Quinn 9	Sater
Talboy	Viebrock	Zweifel		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### **THIRD READING OF HOUSE JOINT RESOLUTION**

**HCS HJR 41**, relating to state court jurisdiction, was taken up by Representative Cunningham (86).

Speaker Jetton resumed the Chair.

Representative Tilley suggested the absence of a quorum.

The following roll call indicated a quorum present:

AYES: 110

Avery	Baker 123	Bivins	Bland	Brown 30
Brown 50	Bruns	Casey	Cooper 120	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kratky	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Page	Parkinson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Salva	Sander	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Shively	Silvey	Smith 150
St. Onge	Storch	Stream	Sutherland	Swinger

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Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Young	Zimmerman	Mr Speaker

NOES: 011

Bringer	Chappelle-Nadal	Daus	George	Holsman
Hughes	Kuessner	LeVota	Low 39	Vogt
Wright-Jones				

PRESENT: 024

Aull	Baker 25	Burnett	Corcoran	Darrough
Dougherty	Fallert	Frame	Johnson	Komo
Lampe	Liese	Lowe 44	McClanahan	Meiners
Norr	Oxford	Robinson	Roorda	Schoemehl
Skaggs	Smith 14	Spreng	Walsh	

ABSENT WITH LEAVE: 016

Brandom	Cooper 155	Dusenberg	Guest	Marsh
Meadows	Parson	Quinn 9	Sater	Self
Stevenson	Talboy	Viebrock	Whorton	Yates
Zweifel				

VACANCIES: 002

**HCS HJR 41** was laid over.

### **PERFECTION OF HOUSE BILL**

**HCS#2 HB 1886**, relating to a special needs scholarship tax credit, was taken up by Representative Scharnhorst.

**HCS#2 HB 1886** was laid over.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1662** - Special Committee on Healthcare Transformation  
**HB 1856** - Judiciary  
**HB 1943** - Special Committee on Urban Issues  
**HB 2207** - Special Committee on Urban Education Reform  
**HB 2268** - Special Committee on Professional Registration and Licensing  
**HB 2275** - Judiciary  
**HB 2277** - Local Government  
**HB 2292** - Crime Prevention and Public Safety  
**HB 2293** - Health Care Policy  
**HB 2320** - Special Committee on Immigration  
**HB 2330** - Special Committee on General Laws

**HB 2342** - Special Committee on General Laws

**HB 2380** - Local Government

**HB 2421** - Special Committee on Job Creation and Economic Development

### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 1796** - Local Government

### **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1326** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **HOUSE CONCURRENT RESOLUTION NO. 26**

WHEREAS, providing art, drama, and music education teaches our children to compete creatively in our global economy; promotes greater success in math, reading, problem solving, decision making, self-esteem, self-discipline, and accepting responsibility to finish tasks; and contributes to higher attendance and graduation rates; and

WHEREAS, comprehensive arts education is eroding in our public schools, with instructional time for art and music being reduced by 22% in school districts; and

WHEREAS, the federal government recognizes the importance of art education in our children's education by designating it as a required core academic subject; and

WHEREAS, students who participate in the arts outperform those who do not on virtually every measure. Researchers have found that sustained learning in music and theater correlates to greater success in math and reading, with students from lower socioeconomic backgrounds reaping the greatest benefits; and

WHEREAS, the arts are uniquely able to boost learning and achievement for young children, students with disabilities, students from economically disadvantaged circumstances, and students needing remedial instruction. A 1992 Auburn University study found significant increases in self-concept of at-risk children participating in an arts program that included music, movement, dramatics, and arts, as measured by the Piers-Harris Children's Self-Concept Scale; and

WHEREAS, skills learned through the discipline of music transfer to study skills, communication skills, and cognitive skills useful in every part of the curriculum. In 1992, researchers at the University of Montreal used various brain imaging techniques to investigate brain activity during musical tasks and found that sight-reading musical scores and playing music both activate regions in all four of the cortex's lobes, and that parts of the cerebellum are also activated during those tasks. Likewise, in 1994, researchers in Leipzig found that brain scans of musicians showed larger planum temporale (a brain region related to some reading skills) than those of non-musicians. They also found that the musicians



had a thicker corpus callosum (the bundle of nerve fibers that connects the two halves of the brain) than those of non-musicians, especially for those who had begun their training before the age of seven; and

WHEREAS, researchers have found music therapy to be beneficial in unlocking the social interactions autism prevents in autistic children and in treating people who may not be able to speak as a result of brain damage from a stroke; and

WHEREAS, the schools that produce the highest academic achievement in the United States today are spending 20% to 30% of the day on the arts. United States Department of Education data from 1999 show that students who report consistently high levels of involvement in instrumental music during the middle school and high school years show "significantly higher levels of mathematics proficiency by grade 12"; and

WHEREAS, with music in schools, students connect to each other better, resulting in greater camaraderie, fewer fights, less racism, and reduced use of hurtful sarcasm. With music instruction in schools, teachers found that students were less aggressive. Nine out of ten adults and teenagers who play instruments agree that music making brings the family closer together. College-age musicians are emotionally healthier than their non-musician counterparts for performance anxiety, emotional concerns, and alcohol-related problems; and

WHEREAS, the National Association for Music Education reports that schools that have music programs have significantly higher attendance rates (93.3% as compared to 84.9%) and graduation rates (90.2% as compared to 72.9%). As the percentage of students enrolled in a music class increases, so does the graduation rate of the school:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby acknowledge the commitment of school districts in Missouri to enrich the lives of students through the fine arts and commend their efforts; and

BE IT FURTHER RESOLVED that the General Assembly recognizes the importance of fine arts in our children's public education and the profound effect they have on the ability of students to interact, communicate, learn, and achieve in a global economy, where every advantage available is necessary; and

BE IT FURTHER RESOLVED that the General Assembly strongly urges and encourages the Governor of the State of Missouri and the Department of Elementary and Secondary Education to secure these advantages to our students by seeking additional funding for fine arts education from all available sources, including federal grants and aid; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Matt Blunt, the Missouri Department of Elementary and Secondary Education, and each school district in Missouri.

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1676**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1504**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 2047**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 2233**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Agri-business**, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **HB 1590**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Homeland Security**, Chairman Dusenberg reporting:

Mr. Speaker: Your Special Committee on Homeland Security, to which was referred **HB 1756**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Senior Citizen Advocacy**, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HCR 21**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NO. 21

WHEREAS, the Department of Health and Senior Services is currently seeking to reform the current funding formula for the distribution of funds to area agencies on aging; and

WHEREAS, the Department is currently in discussions with the area agencies on aging and has conducted extensive research for a new formula for the distribution of funds to area agencies on aging that is more equitable to the needs of seniors; and

WHEREAS, a new formula will include more effective allowances for social and economic need as opposed to geographic location or population; and

WHEREAS, after completing its study on the issue, the House Interim Committee on Senior Nutrition concurred with the Department of Health and Senior Services that reform of the current funding formula for the distribution of funds to area agencies on aging would be a benefit to the seniors of this state; and

WHEREAS, in the final report of the House Interim Committee on Senior Nutrition, the Interim Committee supported the efforts of the Department of Health and Senior Services to reform the current funding formula for the distribution of funds to area agencies on aging:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby support and endorse the efforts of the Department of Health and Senior Services to more equitably meet the nutrition needs of our seniors by reforming the current funding formula for the distribution of funds to area agencies on aging; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the Governor and the Director of the Department of Health and Senior Services.

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HCR 27**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NO. 27

WHEREAS, fibromyalgia is a significant health problem affecting over five million adults nationwide. It is six times more prevalent than muscular dystrophy, cystic fibrosis, leukemia, and multiple sclerosis combined; and

WHEREAS, fibromyalgia is a disabling pain condition. Its symptoms are chronic, and include pain, extreme fatigue, sleep disorders, migraine headaches, and impairment of memory and concentration; and

WHEREAS, the average fibromyalgia patient suffers for an average of five years prior to obtaining a correct diagnosis, resulting in a worsened condition that is more debilitating and more difficult and expensive to treat; and

WHEREAS, fibromyalgia patients are often misunderstood by family members, employers, and physicians as malingerers, depressives, and hypochondriacs due to inadequate knowledge of fibromyalgia. While the condition may be mistakenly thought of by some as a mental health disorder, it is actually a pain condition as defined by the American College of Rheumatology and should be treated as such. Fibromyalgia patients look normal and can function normally for short periods of time, but quickly experience debilitating pain and fatigue; and

WHEREAS, fibromyalgia is costly to the state. An estimated one billion dollars in medical expenses, lost wages, and associated economic costs can be attributed nationwide to the disease. It is also costly in social terms to families and children, as 90% of fibromyalgia patients are women; and

WHEREAS, evidence indicates that the incidence of fibromyalgia may be increasing at a rapid rate:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby support the establishment of the Missouri Fibromyalgia Awareness Initiative Program to do all of the following:

- (1) Promote public awareness regarding fibromyalgia, a widespread but poorly understood disease;
- (2) Promote understanding of the importance of early diagnosis and proper treatment and management;
- (3) Promote the delivery of appropriate information, programs, and services;
- (4) Encourage research into the nature, cause, and treatment of this debilitating disease. Currently there is no laboratory test for detecting fibromyalgia;
- (5) Promote access to accepted treatments for fibromyalgia and distribution of information about how patients can gain access to those therapies; and

(6) Promote an assessment, including the potential implications for use of different types of controlled substances and abuse of other substances, including alcohol and illicit drugs; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Governor Matt Blunt and the Director of the Department of Health and Senior Services.

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 2036**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 2144**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on State Parks and Waterways**, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 2206**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **HB 2112**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Urban Issues**, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 1957**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 2117**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, competition in the voice communications industry is developing rapidly and is widespread in the State of Missouri; and

WHEREAS, Missouri law governing the telecommunications industry must evolve to meet the needs of Missouri consumers; and

WHEREAS, consumer choice in voice communications is available through the traditional wireline, wireless, cable, and interconnected voice over Internet protocol industries; and

WHEREAS, the methodology by which carriers are compensated for the use of their network is, by its nature, complex, detailed, and inter-related to numerous other economic forces; and

WHEREAS, the need to make equitable changes in the inter-carrier compensation regime will require a comprehensive, holistic, and deliberate approach to reform; and

WHEREAS, due to the complex nature of inter-carrier compensation, comprehensive study and discussion is required; and

WHEREAS, a forum for review and discussion between these very competitive industries will aid in addressing the concerns of both the industry and consumers:

NOW, THEREFORE BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, that to ensure that thoughtful and necessary changes to the regulation of voice communications in Missouri and the need to protect Missouri consumers and provide them with more communications choices, the General Assembly must endeavor to comprehensively study further the matters detailed herein; and

BE IT FURTHER RESOLVED that the Speaker of the House of Representatives and the President Pro Tempore of the Senate appoint a Joint Interim Committee on Voice Communications Regulation that is authorized to function during the legislative interim between the Second Regular Session of the Ninety-fourth General Assembly and the First Regular Session of the Ninety-fifth General Assembly to study the following:

(1) The need to make changes to the inter-carrier compensation system wherein voice communications providers exchange traffic on other provider's networks; and

(2) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding inter-carrier compensation; and

BE IT FURTHER RESOLVED that the Joint Interim Committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the General Assembly prior to commencement of the First Regular Session of the Ninety-fifth General Assembly; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, consumer advocates, political subdivisions of this State, and the general public; and

BE IT FURTHER RESOLVED that the staffs of House Research, the Joint Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 1321** and **HB 1695**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HB 2250**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2001**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2002**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2003**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2004**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2005**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2006**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2007**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2008**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2009**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2010**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2011**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2012**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013.**

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2013**, begs leave to report it has examined the same and recommends that it **Do Pass with a time limit of 10 hours total debate on Perfection for HB 2001 through HB 2013.**

#### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1426, HB 1616, HCS HB 1690, HCS HBs 1876 & 1877, HB 2065 and HB 2081.**

#### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2429**, introduced by Representative Hunter, relating to sale of intoxicating liquor in entertainment districts.

**HB 2430**, introduced by Representatives Holsman, Jetton, Walsh, Hughes, Meiners, Tilley, Oxford, Kingery, Schieffer, Brown (50), Chappelle-Nadal, Low (39), Rucker, Casey, Dougherty, Wallace, Aull, Grill, Page, Silvey, Villa, Whorton, Nasheed, Daus, Fallert, Munzlinger, Franz, Wilson (119), Nolte, Nance, Lampe, Talboy, Smith (150) and Cunningham (86), relating to educational personnel compensation.

**HB 2431**, introduced by Representative Walton, relating to complaints against judges lodged, submitted or referred to the commission on retirement, removal, and discipline of judges or the Missouri house of representatives.

**HB 2432**, introduced by Representatives Harris (23), Walsh, George, Darrough, Oxford, Wildberger and Dougherty, relating to youth smoking.

**HB 2433**, introduced by Representatives Wood, Wallace, Weter and Wasson, relating to travel clubs.

**HB 2434**, introduced by Representatives Lembke and Meadows, relating to child support.

**HB 2435**, introduced by Representatives Lembke, Schaaf, Portwood, Cooper (155) and Page, relating to payment of insurance claims.

**HB 2436**, introduced by Representatives Burnett, Pratt, Vogt, Johnson, Flook, Lipke, Jones (89), Bringer, Yates, Salva, Cox and Smith (150), relating to legal representation.

**HB 2437**, introduced by Representatives Schoeller, Munzlinger, Bivins, Richard, Stevenson, Kasten, Cox, Jones (89), Scharnhorst, Faith, Jetton, Stream, Wasson, Grill, Cooper (120), Hunter, Funderburk, Schlottach, Emery and Smith (150), relating to environmental standards.

**HB 2438**, introduced by Representatives Schoeller, Quinn (7), Sater, Stream, Wasson, Funderburk, Emery, Smith (150), Jetton, Cooper (120), Hunter, Pratt, Schlottach, Ervin, Jones (89) and Cunningham (86), relating to workers' compensation benefits.

**HB 2439**, introduced by Representatives Silvey, Skaggs, Nolte, Nance, Flook, Portwood, Lembke, Hughes, Zimmerman, Muschany, Pratt, Ervin, Holsman, Talboy and Brown (30), relating to tax statements.

**HB 2440**, introduced by Representatives Schoeller, Dixon, Marsh, Lampe, Norr, Denison, Viebrock and Cunningham (145), relating to child abuse and neglect.

**HB 2441**, introduced by Representatives Wright-Jones, Talboy, Hodges, McGhee, Oxford, Kuessner, LeVota, Curls, Daus, Whorton, Aull, Komo, Yaeger, Scavuzzo, Brown (50), Salva, Norr, Schieffer, Holsman, Nasheed, Lampe, Haywood, Liese, Roorda, Zimmerman, Frame, Fallert, Bringer, Quinn (9), Hughes, Skaggs, Bland, Walton and Corcoran, relating to the prostate cancer pilot program.

**HB 2442**, introduced by Representatives Schoeller, Holsman, Bivins, Low (39), Aull, Hughes, LeVota, Corcoran, Wildberger, Fallert, Dougherty, Robinson, Brown (50), Yaeger, Scavuzzo, Grill, Oxford, Norr, Lampe, Zimmerman, Witte, Skaggs, Page, McClanahan, Baker (25), Bland, Haywood, Hubbard, George, Schieffer, Hodges, Hoskins, Walton, Nasheed, El-Amin, Donnelly, Storch, Talboy and Wasson, relating to environmentally sustainable buildings.

**HB 2443**, introduced by Representatives Lembke, Portwood, Bivins and Avery, relating to waste collection in certain counties.

**HB 2444**, introduced by Representatives Bland, Curls, Rucker, Nasheed, Hoskins, Johnson, Walton, Corcoran, Hubbard, Oxford, Vogt, Liese, Norr, Walsh and Hughes, relating to eligibility for food stamps.



## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 732**, entitled:

An act to repeal sections 195.010, 195.017, and 195.417, RSMo, and to enact in lieu thereof eleven new sections relating to monitoring of drugs, with penalty provisions and an effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS SBs 747 & 736**, entitled:

An act to repeal sections 160.545, 311.310, 311.325, 577.021, 577.023, 577.500, and 578.255, RSMo, and to enact in lieu thereof seven new sections relating to abuse of alcohol, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 754 & 794**, entitled:

An act to repeal sections 650.055 and 650.056, RSMo, and to enact in lieu thereof two new sections relating to the DNA profiling system, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 944**, entitled:

An act to repeal section 108.250, RSMo, and to enact in lieu thereof one new section relating to state auditor compensation for bond registration, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1034 & 802**, entitled:

An act to repeal section 407.300, RSMo, and to enact in lieu thereof five new sections relating to scrap metal, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1059**, entitled:

An act to repeal sections 339.100, 339.532, 443.809, 443.810, and 443.891, RSMo, and to enact in lieu thereof nine new sections relating to mortgage fraud, with penalty provisions.

In which the concurrence of the House is respectfully requested.

### COMMITTEE CHANGE

The Speaker submitted the following Committee change:

Representative Hughes has been appointed a member of the Special Committee on Urban Issues.

### MESSAGE FROM THE GOVERNOR

EXECUTIVE OFFICE

March 13, 2008

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
94th GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Bill No. 2020** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, for the purchase of equipment, and for planning, expenses, and for capital improvements including but not limited to major additions and renovations, new structures, and land improvements, from the funds designated for the fiscal period ending June 30, 2008.

On March 13, 2008 I approved said **Senate Substitute for Senate Committee Substitute for House Bill No. 2020**.

Respectfully submitted,

/s/ Matt Blunt  
Governor

### ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, March 19, 2008.

## COMMITTEE MEETINGS

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 25, 2008, 1:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1397, HB 1536, HB 1560, HB 1855, HB 2095

### JUDICIARY

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1621, HB 1728, HB 1799,  
HB 1801, HB 1898, HB 2205, HB 2239, HB 2352

### RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, March 25, 2008, 2:30 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1956, HB 2068, HCS HB 1510, HB 1427,  
HB 2213, HB 1945, HB 1887, HB 1952, HB 1937, HCS HB 1783, HB 2258,  
HB 1861, HCS HB 2082, HB 2157, HB 2224, HB 2051, HCS HB 2048,  
HCS HB 1676, HB 2047, HB 2233, HCS HB 1929

### SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, March 25, 2008, 1:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1735, HB 1975, HB 2053, HB 2059, HB 2116, HB 2210

### SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 3.

Committee will reconvene upon adjournment if needed.

Executive session may follow.

Public hearings to be held on: HB 2180, HB 1816, HB 1940, HB 1933

### SPECIAL COMMITTEE ON UTILITIES

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 2279

### SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 2094

**HOUSE CALENDAR**

THIRTY-NINTH DAY, WEDNESDAY, MARCH 19, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2429 through HB 2444

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- |    |                    |   |
|----|--------------------|---|
| 1  | HB 2001 - Icet     | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 2  | HCS HB 2002 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 3  | HCS HB 2003 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 4  | HB 2004 - Icet     | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 5  | HCS HB 2005 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 6  | HCS HB 2006 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 7  | HCS HB 2007 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 8  | HCS HB 2008 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 9  | HCS HB 2009 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 10 | HCS HB 2010 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 11 | HCS HB 2011 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 12 | HCS HB 2012 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 13 | HCS HB 2013 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |

**HOUSE BILLS FOR PERFECTION**

- |    |                             |
|----|-----------------------------|
| 1  | HB 1911 - Muschany          |
| 2  | HB 1806 - Schaaf            |
| 3  | HCS HB 2058 - Pearce        |
| 4  | HCS HB 1626 - Emery         |
| 5  | HCS HB 1836 - Flook         |
| 6  | HB 1773 - Funderburk        |
| 7  | HCS#2 HB 1886 - Scharnhorst |
| 8  | HCS HB 1393 - Dusenberg     |
| 9  | HCS HB 1715 - Schad         |
| 10 | HCS HB 1790 - Cooper (155)  |
| 11 | HCS HB 1550 - Stevenson     |
| 12 | HCS HBs 1788 & 1882 - Day   |
| 13 | HCS HB 1802 - Wilson (130)  |
| 14 | HB 1319 - Brown (50)        |
| 15 | HCS HB 1644 - Muschany      |
| 16 | HCS HB 2188 - Pearce        |

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/12/08)

- 1 HCS HB 1611 - Dixon
- 2 HB 1677 - Franz
- 3 HCS HB 1807 - Cox
- 4 HB 1881 - Schlottach
- 5 HB 1869 - Wilson (130)
- 6 HB 1946 - Franz
- 7 HCS HB 2104 - Viebrock
- 8 HCS HB 2204 - Ervin
- 9 HB 2226 - Muschany

(3/13/08)

- 1 HB 1419 - Portwood
- 2 HCS HB 1546 - Schaaf
- 3 HB 1617 - Cunningham (86)
- 4 HB 1706 - Baker (123)
- 5 HCS HB 1707 - Baker (123)
- 6 HB 1710 - Flook
- 7 HB 1784 - Meadows
- 8 HB 1791 - Cooper (155)
- 9 HCS HB 1804 - Corcoran
- 10 HB 1828 - Sutherland
- 11 HB 1864 - Parson
- 12 HCS HB 1883 - Nance
- 13 HCS HB 1888 - Schoeller
- 14 HCS HB 1893 - Scharnhorst
- 15 HCS HB 1904 - Cox
- 16 HCS HB 1910 - Ervin
- 17 HB 1995 - Schieffer
- 18 HCS HB 2064 - Parson
- 19 HCS HB 2360 - Guest

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326 - Sater

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1490 - Deeken
- 6 HB 1532 - Davis
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1972 - Franz
- 12 HB 1973 - Franz
- 13 HB 1368 - Thomson
- 14 HB 1689 - Wilson (130)
- 15 HB 2055 - Viebrock
- 16 HCS HB 2056 - Viebrock
- 17 HB 1358 - Flook
- 18 HB 1422 - St. Onge
- 19 HB 1469 - Pratt
- 20 HB 1805 - Schaaf
- 21 HB 1983 - Pratt
- 22 HB 1426 - Kraus
- 23 HB 1616 - Ruzicka
- 24 HCS HB 1690 - Wilson (130)
- 25 HCS HBs 1876 & 1877 - Cunningham (86)
- 26 HB 2065 - Wasson
- 27 HB 2081 - Dougherty

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 732
- 2 SS#2 SCS SBs 747 & 736
- 3 SCS SBs 754 & 794
- 4 SS SCS SB 944

5 SCS SBs 1034 & 802

6 SS SCS SB 1059

## **HOUSE CONCURRENT RESOLUTIONS**

1 HCR 7, (2-20-08, Pages 291-292) - Pearce

2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo

3 HCR 19, (2-21-08, Pages 305-306) - Sander

4 HCR 11, (3-05-08, Pages 421-422) - Nolte

5 HCR 16, (3-05-08, Pages 422-423) - Bivins

6 HCR 18, (3-05-08, Pages 420-421) - Fisher

# **JOURNAL OF THE HOUSE**

Second Regular Session, 94th GENERAL ASSEMBLY

---

THIRTY-NINTH DAY, WEDNESDAY, MARCH 19, 2008

The House met pursuant to adjournment.

Representative Bruns in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## **SECOND READING OF HOUSE BILLS**

**HB 2429** through **HB 2444** were read the second time.

## **SECOND READING OF SENATE BILLS**

**SCS SB 732, SS#2 SCS SBs 747 & 736, SCS SBs 754 & 794, SS SCS SB 944, SCS SBs 1034 & 802 and SS SCS SB 1059** were read the second time.

## **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 2430** - Special Committee on Student Achievement

The following members' presence was noted: Cunningham (145), Grisamore, Silvey and Sutherland.

## **ADJOURNMENT**

On motion of Representative Bruns, the House adjourned until 4:00 p.m., Tuesday, March 25, 2008.



## COMMITTEE MEETINGS

### CONSERVATION AND NATURAL RESOURCES

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 2034, HB 1798

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, March 25, 2008, 1:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1397, HB 1536,  
HB 1560, HB 1855, HB 1980, HB 2095

### JOINT COMMITTEE ON LEGISLATIVE RESEARCH - ADVISORY COMMITTEE ON OBSOLETE STATUTES

Thursday, March 20, 2008, 10:00 a.m. Hearing Room 3.

Business meeting.

### JUDICIARY

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1621, HB 1728, HB 1799,  
HB 1801, HB 1898, HB 2205, HB 2239, HB 2352

### RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, March 25, 2008, 2:30 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1956, HCS HB 2068, HCS HB 1510, HB 1427,  
HB 2213, HB 1945, HB 1887, HB 1952, HB 1937, HCS HB 1783, HB 2258,  
HB 1861, HCS HB 2082, HB 2157, HB 2224, HB 2051, HCS HB 2048,  
HCS HB 1676, HB 2047, HB 2233, HCS HB 1929, HCS HB 2036,  
HCS HB 2206, HCR 30

### SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, March 25, 2008, 1:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1735, HB 1975, HB 2053,  
HB 2059, HB 2116, HB 2210

### SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 3.

Committee will reconvene upon adjournment if needed.

Executive session may follow.

Public hearings to be held on: HB 2180, HB 1816, HB 1940, HB 1933

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1544

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 2279

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 2094

**HOUSE CALENDAR**

FORTIETH DAY, TUESDAY, MARCH 25, 2008

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- |    |                    |   |
|----|--------------------|---|
| 1  | HB 2001 - Icet     | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 2  | HCS HB 2002 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 3  | HCS HB 2003 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 4  | HB 2004 - Icet     | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 5  | HCS HB 2005 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 6  | HCS HB 2006 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 7  | HCS HB 2007 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 8  | HCS HB 2008 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 9  | HCS HB 2009 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 10 | HCS HB 2010 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 11 | HCS HB 2011 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 12 | HCS HB 2012 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 13 | HCS HB 2013 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |

**HOUSE BILLS FOR PERFECTION**

- |   |                      |
|---|----------------------|
| 1 | HB 1911 - Muschany   |
| 2 | HB 1806 - Schaaf     |
| 3 | HCS HB 2058 - Pearce |
| 4 | HCS HB 1626 - Emery  |

- 5 HCS HB 1836 - Flook
- 6 HB 1773 - Funderburk
- 7 HCS#2 HB 1886 - Scharnhorst
- 8 HCS HB 1393 - Dusenbergh
- 9 HCS HB 1715 - Schad
- 10 HCS HB 1790 - Cooper (155)
- 11 HCS HB 1550 - Stevenson
- 12 HCS HBs 1788 & 1882 - Day
- 13 HCS HB 1802 - Wilson (130)
- 14 HB 1319 - Brown (50)
- 15 HCS HB 1644 - Muschany
- 16 HCS HB 2188 - Pearce

#### **HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

#### **HOUSE BILLS FOR PERFECTION - CONSENT**

(3/12/08)

- 1 HCS HB 1611 - Dixon
- 2 HB 1677 - Franz
- 3 HCS HB 1807 - Cox
- 4 HB 1881 - Schlottach
- 5 HB 1869 - Wilson (130)
- 6 HB 1946 - Franz
- 7 HCS HB 2104 - Viebrock
- 8 HCS HB 2204 - Ervin
- 9 HB 2226 - Muschany

(3/13/08)

- 1 HB 1419 - Portwood
- 2 HCS HB 1546 - Schaaf
- 3 HB 1617 - Cunningham (86)
- 4 HB 1706 - Baker (123)
- 5 HCS HB 1707 - Baker (123)
- 6 HB 1710 - Flook
- 7 HB 1784 - Meadows
- 8 HB 1791 - Cooper (155)
- 9 HCS HB 1804 - Corcoran
- 10 HB 1828 - Sutherland
- 11 HB 1864 - Parson
- 12 HCS HB 1883 - Nance

- 13 HCS HB 1888 - Schoeller
- 14 HCS HB 1893 - Scharnhorst
- 15 HCS HB 1904 - Cox
- 16 HCS HB 1910 - Ervin
- 17 HB 1995 - Schieffer
- 18 HCS HB 2064 - Parson
- 19 HCS HB 2360 - Guest

#### **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326 - Sater

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1490 - Deeken
- 6 HB 1532 - Davis
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1972 - Franz
- 12 HB 1973 - Franz
- 13 HB 1368 - Thomson
- 14 HB 1689 - Wilson (130)
- 15 HB 2055 - Viebrock
- 16 HCS HB 2056 - Viebrock
- 17 HB 1358 - Flook
- 18 HB 1422 - St. Onge
- 19 HB 1469 - Pratt
- 20 HB 1805 - Schaaf
- 21 HB 1983 - Pratt

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- 22     HB 1426 - Kraus
- 23     HB 1616 - Ruzicka
- 24     HCS HB 1690 - Wilson (130)
- 25     HCS HBs 1876 & 1877 - Cunningham (86)
- 26     HB 2065 - Wasson
- 27     HB 2081 - Dougherty

## **HOUSE CONCURRENT RESOLUTIONS**

- 1     HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2     HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3     HCR 19, (2-21-08, Pages 305-306) - Sander
- 4     HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5     HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6     HCR 18, (3-05-08, Pages 420-421) - Fisher

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

---

FORTIETH DAY, TUESDAY, MARCH 25, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Lord, Source of All Our Strength, be with each of us as we begin our work after the Spring break. Grant us the courage to be open to each other and to not be fearful of challenge.

Strengthen us with a willingness to give and take, to advance the work of this House and the well being of all the people. Give us the ability to discern what is true and good in the various bills, proposals and lines of argument.

By Your grace may we accomplish well the work that must be completed during the next two months.

To You, Almighty God, be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-eighth day was approved as printed by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roord	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng

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Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 006

Daus	Lowe 44	Talboy	Vogt	Whorton
Wildberger				

PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 009

Avery	Bivins	Bland	Harris 23	Hubbard
Johnson	Meadows	Page	Yates	

VACANCIES: 002

The Journal of the thirty-ninth day was approved as printed by the following vote:

AYES: 136

Baker 25	Baker 123	Bivins	Brandom	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Hobbs	Holsman	Hoskins	Hughes
Icet	Jones 89	Holsman	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 014

Aull	Bringer	Daus	Haywood	Hodges
Lampe	Low 39	Schieffer	Swinger	Talboy
Vogt	Whorton	Wildberger	Witte	

PRESENT: 003

Darrough	George	Spreng
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ABSENT WITH LEAVE: 008

Avery	Bland	Harris 23	Hubbard	Hunter
Johnson	Meadows	Page		

VACANCIES: 002

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1113 through House Resolution No. 1235

### **HOUSE CONCURRENT RESOLUTION**

Representative Smith (14) offered House Concurrent Resolution No. 38.

Speaker Pro Tem Pratt assumed the Chair.

### **PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HB 2001**, relating to appropriations, was taken up by Representative Icet.

**HB 2001** was laid over.

**HCS HB 2002**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2002** was laid over.

**HCS HB 2003**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2003** was laid over.

**HB 2004**, relating to appropriations, was taken up by Representative Icet.

**HB 2004** was laid over.

**HCS HB 2005**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2005** was laid over.

**HCS HB 2006**, relating to appropriations, was taken up by Representative Icet.



**HCS HB 2006** was laid over.

**HCS HB 2007**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2007** was laid over.

**HCS HB 2008**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2008** was laid over.

**HCS HB 2009**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2009** was laid over.

**HCS HB 2010**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2010** was laid over.

**HCS HB 2011**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2011** was laid over.

**HCS HB 2012**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2012** was laid over.

**HCS HB 2013**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2013** was laid over.

**HB 2001**, relating to appropriations, was again taken up by Representative Icet.

**HB 2001** was laid over.

**HCS HB 2002**, relating to appropriations, was again taken up by Representative Icet.

Representative Bringer offered **House Amendment No. 1**.

Representative Stevenson raised a point of order that **House Amendment No. 1** legislates within an appropriation bill.

The Chair ruled the point of order well taken.

Representative Aull offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2002, Page 2, Section 2.015, Line 27, by deleting “5,950,000” and inserting “5,200,000”; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Aull moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 066

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Hodges
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Marsh
McClanahan	Meiners	Nance	Nasheed	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schneider	Schoemehl
Shively	Skaggs	Spreng	Storch	Sutherland
Swinger	Talboy	Todd	Villa	Vogt
Wallace	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

NOES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Thomson	Threlkeld	Tilley
Viebrock	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bland	Cooper 120	Harris 23	Haywood
Holsman	Hubbard	Johnson	Meadows	Page

VACANCIES: 002

**HCS HB 2002** was laid over.

**HCS HB 2003**, relating to appropriations, was again taken up by Representative Icet.

Representative Robb offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2003, Page 2, Section 3.040, Line 5, by deleting “82,033,333” and inserting “76,033,333”; and

Further amend said bill, Page 3, Section 3.045, Line 4, by deleting “100,000,000E” and inserting “94,000,000E”; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Robb moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 050

Baker 25	Baker 123	Brandom	Chappelle-Nadal	Curls
Davis	Day	Deeken	Donnelly	Dusenberg
Ervin	Faith	Flook	Funderburk	Guest
Harris 23	Hobbs	Kelly	LeVota	Loehner
Low 39	Lowe 44	May	Meiners	Moore
Nasheed	Nieves	Nolte	Onder	Oxford
Pollock	Quinn 7	Robb	Sander	Sater
Schlottach	Schneider	Silvey	Sutherland	Talboy
Threlkeld	Villa	Vogt	Wallace	Walton
Whorton	Witte	Yaeger	Young	Zimmerman

NOES: 102

Aull	Bivins	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Fallert	Fares	Fisher	Frame	Franz
George	Grill	Grisamore	Harris 110	Hodges
Holsman	Hoskins	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kasten	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	McClanahan	McGhee
Munzlinger	Muschany	Nance	Norr	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 9
Richard	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schoeller	Schoemehl	Self
Shively	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Swinger
Thomson	Tilley	Todd	Viebrock	Walsh
Wasson	Wells	Weter	Wildberger	Wilson 119

Wilson 130	Wood	Wright 159	Wright-Jones	Yates
Zweifel	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Bland	Cooper 155	Corcoran	Haywood
Hubbard	Marsh	Meadows	Page	

VACANCIES: 002

## Representative Stream offered **House Amendment No. 2.**

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2003, Page 8, Section 3.155, Line 4, by deleting "411,412,853" and inserting "408,812,853"; and

Further amend by adjusting section and bill totals accordingly.

Speaker Jetton resumed the Chair.

On motion of Representative Stream, **House Amendment No. 2** was adopted.

Representative Stream, having voted on the prevailing side, moved that the vote by which **House Amendment No. 2** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Hoskins
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch

Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 009

Davis	George	Holsman	Oxford	Spreng
Stream	Talboy	Whorton	Wildberger	

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bland	Brown 50	Corcoran	Cox
Haywood	Hubbard	Marsh	Meadows	Page

VACANCIES: 002

**House Amendment No. 2** was withdrawn.

Representative Lampe offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2003, Page 2, Section 3.040, Line 5, by deleting "82,033,333" and inserting "68,433,333"; and

Further amend said bill, Page 3, Section 3.045, Line 3, by deleting "Chapter 173, RSMo" and inserting "Chapter 173, RSMo, for the purpose of funding need based scholarships to students with an expected family contribution of not more than Twelve Thousand Dollars (\$12,000)"; and

Further amend said bill, said page, said section, Line 4, by deleting "100,000,000E" and inserting "86,400,000E"; and

Further amend said bill by adjusting section and bill totals accordingly.

Speaker Pro Tem Pratt resumed the Chair.

Representative Lampe moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 076

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Davis	Donnelly	Dougherty	Dusenberg
El-Amin	Fallert	Frame	Franz	George
Grill	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	McGhee

Meiners	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Skaggs
Spreng	Storch	Sutherland	Swinger	Talboy
Todd	Villa	Vogt	Wallace	Walsh
Walton	Whorton	Wildberger	Witte	Wood
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOES: 077

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cunningham 86	Day	Deeken
Denison	Dethrow	Dixon	Emery	Ervin
Faith	Fares	Fisher	Flook	Funderburk
Grisamore	Guest	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Thomson	Threlkeld	Tilley	Viebrock
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Bland	Cox	Cunningham 145	Hubbard
Marsh	Meadows	Page		

VACANCIES: 002

**HCS HB 2003** was laid over.

**HB 2004**, relating to appropriations, was again taken up by Representative Ice.

Representative Dethrow offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 2004, Page 16, Section 4.305, by deleting Line 4; and

Further amend said bill by amending section and bill totals accordingly.

Representative Dethrow moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Aull	Baker 25	Baker 123	Brandom	Bringer
Brown 30	Cooper 120	Cooper 155	Cunningham 145	Davis
Day	Deeken	Dethrow	Dixon	Emery
Ervin	Fisher	Flook	Franz	Guest
Hobbs	Ice	Kelly	Kingery	Kuessner
Lembke	Lipke	McClanahan	Moore	Munzlinger
Nance	Parson	Pollock	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schoeller	Self	Silvey	Skaggs	Smith 14
Stevenson	Swinger	Thomson	Tilley	Todd
Viebrock	Wallace	Wasson	Wells	Wildberger
Wilson 119	Wilson 130	Witte	Mr Speaker	

NOES: 087

Bivins	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Corcoran	Cunningham 86	Curls	Darrough
Daus	Denison	Dougherty	Dusenberg	El-Amin
Faith	Fallert	Frame	Funderburk	George
Grill	Grisamore	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Johnson
Jones 89	Jones 117	Kasten	Komo	Kratky
Kraus	Lampe	LeVota	Liese	Loehner
Low 39	Lowe 44	May	McGhee	Meiners
Muschany	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Pearce	Portwood
Pratt	Roorda	Ruestman	Salva	Scavuzzo
Schieffer	Schlottach	Schneider	Schoemehl	Shively
Smith 150	Spreng	St. Onge	Storch	Stream
Sutherland	Talboy	Threlkeld	Villa	Vogt
Walsh	Walton	Weter	Whorton	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Bland	Cox	Donnelly	Fares
Hubbard	Hunter	Marsh	Meadows	Page

VACANCIES: 002

Representative Storch offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Bill No. 2004, Page 2, Section 4.007, Line 6, by deleting the number "642,534" and inserting the number "327,016"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Storch moved that **House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
El-Amin	Fallert	Flook	Frame	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Johnson	Komo	Kratky
Kraus	Lampe	LeVota	Liese	Low 39
McClanahan	Muschany	Norr	Oxford	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Spreng
Storch	Swinger	Talboy	Threlkeld	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel			

NOES: 083

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kingery	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bland	Brown 50	Cooper 120	Donnelly
George	Hubbard	Kelly	Kuessner	Lowe 44
Marsh	Meadows	Meiners	Nasheed	Page
Young				

VACANCIES: 002

**HB 2004** was laid over.



## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 2393** - Special Committee on Job Creation and Economic Development

## COMMITTEE REPORTS

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1339**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **HB 1849**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1427**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1510**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1676**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1783**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1861**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1887**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1929**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1937**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1945**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1952**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1956**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2036**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2047**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2048**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2051**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2068**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2082**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2157**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2206**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2213**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2224**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2233**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2258**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2445**, introduced by Representative Sutherland, relating to dangerous wild animals.

**HB 2446**, introduced by Representative Tilley, relating to small claims court judgments.

**HB 2447**, introduced by Representatives Lembke, Portwood, Harris (110), Fallert and Oxford, relating to the regional taxicab commission.

**HB 2448**, introduced by Representatives Silvey, Portwood, Hubbard, Threlkeld, Zimmerman, Talboy and Burnett, relating to fee agent offices.

**HB 2449**, introduced by Representatives Silvey and Avery, relating to sales taxes affecting certain taxing districts.

The following members' presence was noted: Avery, Bland and Meadows.

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 9:00 a.m., Wednesday, March 26, 2008.

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Thursday, March 27, 2008, 8:00 a.m. Hearing Room 6.

Meeting for informational purposes only.

FCS Financial representatives to address the committee.

Possible Executive session to follow.

### CONSERVATION AND NATURAL RESOURCES

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 4.

Possible Executive session.

Public hearings to be held on: HB 2034, HB 1798

### JOINT COMMITTEE ON CORRECTIONS

Wednesday, April 2, 2008, 9:00 a.m. Hearing Room 3.

Business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### JUDICIARY

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 1621, HB 1728, HB 1799, HB 1801, HB 1898, HB 2205, HB 2239, HB 2352

**LOCAL GOVERNMENT**

Wednesday, March 26, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 1796, HB 2277, HB 2380

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1866, HB 1747, HB 1794, HB 1954, HB 1961

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 3.

Committee will reconvene upon adjournment if needed.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1816, HB 1940, HB 1933

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 7.

General information regarding enhanced enterprise zones and economic development.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, March 26, 2008, 1:45 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 2393

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, March 27, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1827, HB 1976

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, March 26, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1544

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 2279

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, March 26, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2094, HB 2302, HB 2309

## HOUSE CALENDAR

FORTY-FIRST DAY, WEDNESDAY, MARCH 26, 2008

### HOUSE BILLS FOR SECOND READING

HB 2445 through HB 2449

### HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 70 - Icet

### HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- |    |                    |   |
|----|--------------------|---|
| 1  | HB 2001 - Icet     | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 2  | HCS HB 2002 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 3  | HCS HB 2003 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 4  | HB 2004 - Icet     | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 5  | HCS HB 2005 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 6  | HCS HB 2006 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 7  | HCS HB 2007 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 8  | HCS HB 2008 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 9  | HCS HB 2009 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 10 | HCS HB 2010 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 11 | HCS HB 2011 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 12 | HCS HB 2012 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |
| 13 | HCS HB 2013 - Icet | (10 hours total debate on Perfection for HB 2001 through HB 2013) |

### HOUSE BILLS FOR PERFECTION

- |    |                             |
|----|-----------------------------|
| 1  | HB 1911 - Muschany          |
| 2  | HB 1806 - Schaaf            |
| 3  | HCS HB 2058 - Pearce        |
| 4  | HCS HB 1626 - Emery         |
| 5  | HCS HB 1836 - Flook         |
| 6  | HB 1773 - Funderburk        |
| 7  | HCS#2 HB 1886 - Scharnhorst |
| 8  | HCS HB 1393 - Dusenberg     |
| 9  | HCS HB 1715 - Schad         |
| 10 | HCS HB 1790 - Cooper (155)  |
| 11 | HCS HB 1550 - Stevenson     |
| 12 | HCS HBs 1788 & 1882 - Day   |
| 13 | HCS HB 1802 - Wilson (130)  |
| 14 | HB 1319 - Brown (50)        |
| 15 | HCS HB 1644 - Muschany      |
| 16 | HCS HB 2188 - Pearce        |

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/12/08)

- 1 HCS HB 1611 - Dixon
- 2 HB 1677 - Franz
- 3 HCS HB 1807 - Cox
- 4 HB 1881 - Schlottach
- 5 HB 1869 - Wilson (130)
- 6 HB 1946 - Franz
- 7 HCS HB 2104 - Viebrock
- 8 HCS HB 2204 - Ervin
- 9 HB 2226 - Muschany

(3/13/08)

- 1 HB 1419 - Portwood
- 2 HCS HB 1546 - Schaaf
- 3 HB 1617 - Cunningham (86)
- 4 HB 1706 - Baker (123)
- 5 HCS HB 1707 - Baker (123)
- 6 HB 1710 - Flook
- 7 HB 1784 - Meadows
- 8 HB 1791 - Cooper (155)
- 9 HCS HB 1804 - Corcoran
- 10 HB 1828 - Sutherland
- 11 HB 1864 - Parson
- 12 HCS HB 1883 - Nance
- 13 HCS HB 1888 - Schoeller
- 14 HCS HB 1893 - Scharnhorst
- 15 HCS HB 1904 - Cox
- 16 HCS HB 1910 - Ervin
- 17 HB 1995 - Schieffer
- 18 HCS HB 2064 - Parson
- 19 HCS HB 2360 - Guest

(3/26/08)

- 1 HCS HB 1676 - Hoskins
- 2 HCS HB 1783 - Meadows
- 3 HB 1861 - Baker (25)
- 4 HB 1887 - Parson
- 5 HB 1937 - Pearce

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- 6 HB 1952 - Loehner
- 7 HB 1956 - Bivins
- 8 HCS HB 2036 - Nance
- 9 HB 2047 - Curls
- 10 HCS HB 2048 - Zimmerman
- 11 HB 2051 - Kelly
- 12 HCS HB 2068 - Kuessner
- 13 HCS HB 2082 - Dougherty
- 14 HB 2157 - Grill
- 15 HCS HB 2206 - Sutherland
- 16 HB 2213 - Kraus
- 17 HB 2224 - Jones (117)
- 18 HB 2233 - Page
- 19 HB 2258 - Pollock

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326 - Sater

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1490 - Deeken
- 6 HB 1532 - Davis
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1972 - Franz
- 12 HB 1973 - Franz
- 13 HB 1368 - Thomson
- 14 HB 1689 - Wilson (130)
- 15 HB 2055 - Viebrock
- 16 HCS HB 2056 - Viebrock

- 17 HB 1358 - Flook
- 18 HB 1422 - St. Onge
- 19 HB 1469 - Pratt
- 20 HB 1805 - Schaaf
- 21 HB 1983 - Pratt
- 22 HB 1426 - Kraus
- 23 HB 1616 - Ruzicka
- 24 HCS HB 1690 - Wilson (130)
- 25 HCS HBs 1876 & 1877 - Cunningham (86)
- 26 HB 2065 - Wasson
- 27 HB 2081 - Dougherty

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-FIRST DAY, WEDNESDAY, MARCH 26, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are God, the great, the mighty, and the awesome God. You are not a respecter of persons and do no evil.

Heavenly Father, as we reflect on the tragic events of the past couple of weeks; those who have lost family, homes, jobs, we ask of You, grace, mercy, compassion and speedy relief from the various responding agencies. We dare not take for granted the love and safety of our own families, the abundant provision of this land, the safety of our travels, and most of all, life itself.

As we turn our attention to the business at hand, we are aware of the awesome responsibilities given to us and the expectation of the people we serve to provide needed relief. As humble servants, grant us wisdom and understanding to provide uncomplicated solutions to complex problems. May our time here be memorable and fruitful.

Now unto You, Who alone is wise, be glory and majesty, dominion and power, both now and forever.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Lexi Lynn Couey, Laryn Grant, Clayton Stalling, Larry Grant, Kaylyn Kloepper and Kaylie Nicole Warne-Robin.

The Journal of the fortieth day was approved as corrected.

## SPECIAL RECOGNITION

Dr. H. J. Murrell was introduced by Representative Robb and recognized as an Outstanding Missourian.

## SECOND READING OF HOUSE BILLS

**HB 2445** through **HB 2449** were read the second time.

**PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 2005**, relating to appropriations, was taken up by Representative Icet.

Representative Tilley offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2005, Page 16, Section 5.505, Line 5, by deleting "235,977,889" and inserting "235,677,889"; and

Further amend said bill, Page 17, Section 5.510, Line 7, by deleting "354,153,045" and inserting "353,853,045"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Tilley, **House Amendment No. 1** was adopted by the following vote:

AYES: 100

Aull	Baker 25	Brandom	Bringer	Brown 30
Brown 50	Bruns	Cooper 120	Cox	Cunningham 145
Cunningham 86	Curls	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Ervin
Faith	Fallert	Fares	Fisher	Flook
Funderburk	Grill	Grisamore	Guest	Hobbs
Hodges	Hunter	Icet	Jones 89	Jones 117
Kasten	Kingery	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Moore	Munzlinger	Meschery	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Wallace	Wasson	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright-Jones	Yates	Mr Speaker

NOES: 046

Baker 123	Bivins	Burnett	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Darrough	Daus	Davis
Donnelly	El-Amin	Emery	Frame	George
Harris 110	Holsman	Hoskins	Hughes	Kelly
Komo	Kratky	Low 39	Lowe 44	May
McGhee	Meiners	Oxford	Page	Roorda
Rucker	Schaaf	Schoemehl	Skaggs	Smith 150
Storch	Talboy	Villa	Walsh	Walton
Whorton	Wildberger	Wright 159	Yaeger	Young
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Bland	Franz	Harris 23	Haywood
Hubbard	Johnson	Marsh	McClanahan	Meadows
Spreng	Threlkeld	Vogt	Wells	Zweifel

VACANCIES: 002

**HCS HB 2005, as amended**, was laid over.

**HCS HB 2002**, relating to appropriations, was taken up by Representative Icet.

Representative Tilley offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2002, Page 2, Section 2.015, Line 36, by inserting immediately after said line, the following new section:

"2.016 To the Department of Elementary and Secondary Education

For the purpose of funding a pilot program targeting school bus safety in the loading and unloading zone for a school bus, including a 25% district or 75% contractor state match for the purchase of an audible warning alarm or announcement system located near the right front corner of the bus and incorporated into the warning-light system to sound as the stop arms and crossing gate open and closes to be purchased from a Missouri based business for school buses in the 10 highest accident rated counties in the state

From General Revenue Fund . . . . . \$300,000"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Tilley, **House Amendment No. 3** was adopted.

**HCS HB 2002, as amended**, was laid over.

**HCS HB 2005, as amended**, was again taken up by Representative Icet.

Representative Lembke offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.025, Line 13, by deleting "162,160,646" and inserting "155,156,346"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Richard assumed the Chair.

Representative Lembke moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Lipke offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2005, Page 16, Section 5.505, Line 5, by deleting "235,977,889" and inserting "235,914,975"; and

Further amend House Committee Substitute for House Bill No. 2005, Page 17, Section 5.510, Line 7, by deleting "354,153,045" and inserting "354,090,131"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Lipke, **House Amendment No. 3** was adopted.

**HCS HB 2005, as amended**, was laid over.

**HCS HB 2010**, relating to appropriations, was taken up by Representative Icet.

Representative Lipke offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2010, Page 33, Section 10.676, Line 6, by adding the following new section immediately after said line:

"Section 10.678. To the Department of Health and Senior Services  
For the Division of Community and Public Health  
For the purpose of funding the Evan de Mello program which will reimburse families for  
expenses incurred while caring for children with special health care needs  
From General Revenue Fund ..... \$62,914"; and

Adjust bill totals accordingly.

On motion of Representative Lipke, **House Amendment No. 1** was adopted.

**HCS HB 2010, as amended**, was laid over.

**HCS HB 2005, as amended**, relating to appropriations, was again taken up by Representative Icet.

Representative Portwood offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2005, Page 16, Section 5.505, Line 5, by deleting "235,977,889" and inserting "233,977,889"; and

Further amend said bill, Page 17, Section 5.510, Line 7, by deleting "354,153,045" and inserting "352,153,045"; and

Adjust section and bill totals accordingly.

Representative Portwood moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 011

Curls	Davis	Harris 110	Lembke	Lipke
Muschany	Nasheed	Portwood	Salva	Silvey
Stevenson				

NOES: 143

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Darrough
Daus	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Funderburk	George	Grill
Grisamore	Guest	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Skaggs	Smith 14
Smith 150	Spreng	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Donnelly	Franz	Harris 23	Hubbard
Threlkeld	Wells			

VACANCIES: 002

Representative Salva offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 2005, Page 16, Section 5.505, Line 5, by deleting "\$235,977,889" and inserting "\$233,659,511"; and

Further amend Line 6, by deleting "72,652,870" and inserting "71,894,939"; and

Further amend Line 7, by deleting "45,522,286" and inserting "44,140,175"; and

Further amend said bill, Page 17, Section 5.510, Line 7, by deleting "\$354,153,045" and inserting "\$349,694,625"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Salva moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Baker 25	Bivins	Bland	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Kratky	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nance	Nasheed	Nolte
Norr	Oxford	Portwood	Quinn 9	Robinson
Roorda	Rucker	Ruzicka	Salva	Sander
Scavuzzo	Schieffer	Schoemehl	Silvey	Skaggs
Spreng	Storch	Talboy	Todd	Villa
Vogt	Walsh	Walton	Weter	Whorton
Wildberger	Wright-Jones	Zweifel		

NOES: 083

Baker 123	Brandom	Bringer	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Kuessner	Marsh	May	McGhee
Moore	Munzlinger	Nieves	Onder	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Shively	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Tilley	Viebrock	Wallace	Wasson	Wilson 119

Wilson 130	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

PRESENT: 002

Swinger	Witte
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ABSENT WITH LEAVE: 008

Avery	Donnelly	Dougherty	Franz	Harris 23
Muschany	Threlkeld	Wells		

VACANCIES: 002

Representative Baker (25) offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.025, Line 9, by deleting "60,586,546" and inserting "59,986,546"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Baker (25) moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Lampe offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.025, Line 9, by deleting "60,586,546" and inserting "60,386,546"; and

Further amend said bill by amending section and bill totals accordingly.

Speaker Pro Tem Pratt resumed the Chair.

Representative Lampe moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 073

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Marsh	McClanahan	McGhee	Meadows
Meiners	Nasheed	Norr	Oxford	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo

Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zimmerman		

NOES: 078

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dusenberg	Emery	Ervin	Faith	Fisher
Flook	Funderburk	Grisamore	Guest	Hobbs
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Lipke	Loehner
May	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Tilley	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 009

Avery	Dixon	Dougherty	Franz	Page
Threlkeld	Wasson	Wells	Zweifel	

VACANCIES: 002

Representative Nasheed offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.025, Line 9, by deleting "60,586,546" and inserting "59,836,546"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Nasheed moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fallert	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Johnson	Komo	Kratky



Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Young	Zimmerman			

NOES: 091

Baker 123	Bivins	Brandom	Brown 30	Bruns
Burnett	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Frame	Funderburk	Grisamore	Guest	Hobbs
Hughes	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Tilley	Viebrock	Wallace	Wasson	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 001

Fares

ABSENT WITH LEAVE: 007

Avery	Franz	McClanahan	Threlkeld	Wells
Wildberger	Zweifel			

VACANCIES: 002

Representative Storch offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.025, Line 9, by deleting "60,586,546" and inserting "60,336,546"; and

Adjust section and bill totals accordingly.

Representative Storch moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

Representative Donnelly offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.025, Line 9, by deleting the number "\$60,586,546" and inserting the number "\$56,186,546"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Richard resumed the Chair.

Representative Nieves assumed the Chair.

Representative Donnelly moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	McClanahan	Meadows	Meiners	Moore
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

NOES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Tilley	Viebrock	Wallace	Wasson	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Corcoran	Franz	Harris 23	Haywood
Low 39	Lowe 44	Salva	Threlkeld	Wells
Young	Zweifel			

VACANCIES: 002

Representative Nasheed offered **House Amendment No. 11.**

*House Amendment No. 11*

AMEND House Committee Substitute for House Bill No. 2005, Page 2, Section 5.025, Line 13, by deleting the number "162,160,646" and inserting the number "149,232,618"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Nasheed moved that **House Amendment No. 11** be adopted.

Which motion was defeated.

**HCS HB 2005, as amended**, was laid over.

**HCS HB 2006**, relating to appropriations, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2006, Page 5, Section 6.065, Line 2, by deleting "Section 348.408, RSMo and 348.409, RSMo" and inserting "Sections 348.403, 348.408, and 348.409, RSMo".

On motion of Representative Icet, **House Amendment No. 1** was adopted.

Representative Dethrow offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2006, Page 4, Section 6.045, Line 7, by deleting "250,000" and inserting "220,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Dethrow, **House Amendment No. 2** was adopted.

Representative Dethrow offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2006, Page 3, Section 6.025, Line 5, by inserting the following immediately thereafter:

"For the purpose of funding a feasibility study to investigate establishing a new-generation export co-operative for Missouri forestry product producers ..... 30,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Dethrow, **House Amendment No. 3** was adopted.

Representative Loehner offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2006, Page 4, Section 6.045, Line 6, by deleting "\$85,516" and inserting "\$85,515"; and

Further amend section and bill totals accordingly.

On motion of Representative Loehner, **House Amendment No. 4** was adopted.

Representative Loehner offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 2006, Page 5, Section 6.065, by inserting immediately thereafter the following:

"Section 6.066 To the Department of Agriculture  
There is hereby transferred out of the State Treasury, chargeable to the General Revenue Fund, to the Livestock Feed and Crop Input Loan Guarantee Fund  
From General Revenue Fund ..... \$1

Section 6.067 To the Department of Agriculture  
For the purpose of funding loan guarantees for loans administered by the Missouri Agricultural and Small Business Development Authority for the purpose of financing the purchase of livestock feed used to produce livestock and input used to produce crops for the feeding of livestock, provided that the appropriation may not exceed \$4,000,000  
From Livestock Feed and Crop Input Loan Guarantee Fund ..... \$1"; and

Further amend section and bill totals accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 5** is in violation of Rule 46(f).

Representative Nieves requested a parliamentary ruling.

Representative Skaggs withdrew the point of order.

On motion of Representative Loehner, **House Amendment No. 5** was adopted.

Representative Hughes offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 2006, Page 19, Section 6.380, Line 3, by deleting "\$250,000" and inserting "\$50,000"; and

Further amend section and bill totals accordingly.

Representative Hughes moved that **House Amendment No. 6** be adopted.

Which motion was defeated.

Representative Talboy offered **House Amendment No. 7.**

Representative Richard resumed the Chair.

**House Amendment No. 7** was withdrawn.

Representative Silvey offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 2006, Page 10, Section 6.200, Line 2, by inserting immediately after the following ", provided that no individual shall be hired for the Ombudsman Program after July 1, 2008 that has served in the capacity of a statewide elected public office or was a former candidate for the General Assembly or statewide office".

Representative Hobbs assumed the Chair.

Representative Silvey moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 045

Aull	Bland	Bringer	Casey	Curls
Dixon	Donnelly	Grill	Harris 110	Haywood
Holsman	Ice	Jones 117	Komo	Kraus
Lampe	Lembke	LeVota	Liese	Muschany
Nasheed	Norr	Oxford	Portwood	Pratt
Quinn 9	Roorda	Rucker	Scavuzzo	Scharnhorst
Schieffer	Shively	Silvey	Skaggs	Sutherland
Swinger	Talboy	Tilley	Todd	Vogt
Walton	Witte	Yates	Zimmerman	Mr Speaker

NOES: 103

Baker 123	Bivins	Brandom	Brown 30	Brown 50
Bruns	Burnett	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Denison

Dethrow	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Funderburk	George	Grisamore	Guest
Hobbs	Hodges	Hoskins	Hubbard	Hughes
Hunter	Johnson	Jones 89	Kasten	Kelly
Kingery	Kratky	Kuessner	Lipke	Loehner
Low 39	Lowe 44	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Quinn 7	Richard	Robb	Robinson
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Schlottach	Schneider	Schoeller	Schoemehl
Self	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Thomson	Viebrock
Villa	Wallace	Walsh	Wasson	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Young		

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 25	Frame	Franz	Harris 23
Marsh	McClanahan	Page	Salva	Threlkeld
Wells	Wildberger	Zweifel		

VACANCIES: 002

Representative Lampe offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for House Bill No. 2006, Page 2, Section 6.010, Line 5, by deleting "\$12,500,000" and inserting "\$7,500,000"; and

Further amend said bill, Page 3, Section 6.015, Line 3, by deleting "\$12,500,000" and inserting "\$7,500,000"; and

Further amend section and bill totals accordingly.

Representative Lampe moved that **House Amendment No. 9** be adopted.

Which motion was defeated.

**HCS HB 2006, as amended**, was laid over.

**HCS HB 2007**, relating to appropriations, was taken up by Representative Icet.

Representative Sander offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2007, Page 3, Section 7.020, by deleting the section in its entirety; and

Further amend bill totals accordingly.

**HCS HB 2007, with House Amendment No. 1, pending**, was laid over.

On motion of Representative Tilley, the House recessed until 3:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1236 through House Resolution No. 1299

**PERFECTION OF HOUSE BILLS - APPROPRIATIONS**

**HCS HB 2007, with House Amendment No. 1, pending**, relating to appropriations, was again taken up by Representative Icet.

Representative Sander moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 039

Baker 123	Bringer	Casey	Cooper 155	Davis
Dusenberg	Ervin	Fallert	Fisher	Franz
George	Harris 110	Hodges	Kuessner	Liese
McGhee	Meadows	Meiners	Muschany	Pollock
Pratt	Quinn 9	Sander	Sater	Scavuzzo
Schad	Schieffer	Self	Shively	Spreng
Stevenson	Swinger	Viebrock	Villa	Wallace
Walsh	Wilson 119	Wood	Yates	

NOES: 109

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Chappelle-Nadal
Cooper 120	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Faith	Fares	Flook	Frame
Funderburk	Grill	Grisamore	Guest	Haywood
Hobbs	Holsman	Hoskins	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Lampe
Lembke	LeVota	Lipke	Loehner	Low 39

Marsh	May	McClanahan	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Parson	Pearce
Portwood	Quinn 7	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Schaaf
Scharnhorst	Schlottach	Schneider	Schoeller	Schoemehl
Silvey	Skaggs	Smith 14	Smith 150	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Todd	Wasson	Weter
Whorton	Wildberger	Wilson 130	Witte	Wright 159
Wright-Jones	Young	Zimmerman	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Donnelly	Harris 23	Hubbard	Kraus
Lowe 44	Page	Salva	Vogt	Walton
Wells	Yaeger	Zweifel		

VACANCIES: 002

Representative Burnett offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2007, Page 22, Section 7.840, Line 6, by deleting “\$9,933,480” and inserting “\$9,466,205”; and

Further amend said bill, said section, by deleting Lines 9 through 12; and

Further amend said bill, said section, Line 17, by deleting “211.75” and inserting “159.25”; and

Further amend said bill by amending section and bill totals accordingly.

Representative Richard resumed the Chair.

Representative Burnett moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Harris (110) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2007, Page 4, Section 7.025, Lines 14 through 16, by deleting said lines in their entirety; and

Further amend said bill, Page 5, Section 7.030, Line 4, by deleting “Missouri Technology Corporation/Research Alliance of Missouri”; and

Further amend said bill, Section 7.030, Line 7, by deleting “\$4,429,999” and inserting “\$4,305,343”; and

Further amend said bill by amending section and bill totals accordingly.



Representative Harris (110) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 056

Bland	Bringer	Brown 30	Brown 50	Burnett
Casey	Curls	Darrough	Davis	Dusenberg
El-Amin	Fallert	Frame	Franz	George
Grill	Harris 110	Hodges	Holsman	Hoskins
Johnson	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Loehner	Meadows	Muschany
Nasheed	Norr	Oxford	Pollock	Pratt
Quinn 9	Robinson	Roorda	Rucker	Sander
Scavuzzo	Schieffer	Schneider	Schoeller	Schoemehl
Shively	Skaggs	Smith 150	Spreng	Swinger
Todd	Villa	Walton	Wright-Jones	Yates
Mr Speaker				

NOES: 093

Aull	Baker 25	Baker 123	Bivins	Brandom
Bruns	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Daus	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Emery
Ervin	Faith	Fares	Fisher	Flook
Funderburk	Grisamore	Guest	Haywood	Hobbs
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Lembke
Lipke	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Self	Silvey	Smith 14
Stevenson	St. Onge	Storch	Stream	Sutherland
Talboy	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Wasson	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Young	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Cooper 120	Donnelly	Harris 23	Hubbard
Lowe 44	Page	Salva	Vogt	Wells
Yaeger	Zweifel			

VACANCIES: 002

**HCS HB 2007** was laid over.

**HCS HB 2008**, relating to appropriations, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1.***House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2008, Page 1, Section 8.005, Line 21, by adding immediately after said line the following new line, "From Conservation Commission Fund . . . . . \$500,000"; and

Further amend said bill, Page 10, Section 8.135, Line 22, by deleting the number "1,350,000" and inserting the number "2,350,000"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Jones (89) assumed the Chair.

On motion of Representative Icet, **House Amendment No. 1** was adopted by the following vote:

AYES: 104

Aull	Baker 123	Bivins	Brandom	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	George	Grisamore	Guest	Hobbs
Hoskins	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Kraus	Lembke
Liese	Loehner	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Portwood
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Stream
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Zimmerman	Mr Speaker	

NOES: 042

Bland	Bringer	Brown 30	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	El-Amin
Fallert	Frame	Grill	Harris 110	Haywood
Hodges	Holsman	Hughes	Komo	Kuessner
Lampe	LeVota	Lipke	Low 39	McClanahan
Oxford	Pollock	Quinn 9	Robinson	Scavuzzo
Schoemehl	Shively	Skaggs	Storch	Sutherland
Swinger	Talboy	Todd	Vogt	Whorton
Witte	Wright-Jones			

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 25	Cooper 120	Corcoran	Donnelly
Harris 23	Hubbard	Hunter	Johnson	Lowe 44
Page	Salva	Wells	Yaeger	Zweifel

VACANCIES: 002

## Representative Icet offered **House Amendment No. 2.**

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2008, Page 1, Section 8.005, Line 21, by deleting the number "7,650,000" and inserting the number "6,150,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 2** was adopted by the following vote:

AYES: 093

Aull	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Wasson	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 052

Bland	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	El-Amin
Fallert	Frame	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meadows	Norr	Oxford
Quinn 9	Robinson	Roorda	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Sutherland
Swinger	Talboy	Todd	Vogt	Walsh

Walton	Whorton	Wildberger	Witte	Wright-Jones
Young	Zimmerman			

PRESENT: 001

Johnson

ABSENT WITH LEAVE: 015

Avery	Baker 25	Cooper 155	Corcoran	Donnelly
Dougherty	Harris 23	Hubbard	Lowe 44	Nasheed
Page	Salva	Wells	Yaeger	Zweifel

VACANCIES: 002

**HCS HB 2008, as amended**, was laid over.

**HCS HB 2002, as amended**, relating to appropriations, was again taken up by Representative Icet.

Representative Icet offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2002, Page 8, Section 2.155, Line 3, by inserting immediately after said line the following:

“Section 2.160 To the Department of Elementary and Secondary Education  
For the Enhancing Missouri’s Instructional Networked Teaching Strategies (eMINTS)  
Program  
From General Revenue Fund . . . . . \$1,500,000”; and

Adjust section and bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 4** was adopted.

**HCS HB 2002, as amended**, was laid over.

**HCS HB 2008, as amended**, relating to appropriations, was again taken up by Representative Icet.

Representative Icet offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2008, Page 3, Section 8.030, Line 3, by deleting the words, "grants to local law enforcement internet sex crimes task forces" and inserting the words, "multijurisdictional Internet cyber crime law enforcement task forces, multijurisdictional enforcement groups and other law enforcement agencies that are investigating Internet sex crimes against children".

On motion of Representative Icet, **House Amendment No. 3** was adopted.

**HCS HB 2008, as amended**, was laid over.

**HCS HB 2010, as amended**, relating to appropriations, was again taken up by Representative Icet.

Representative Icet offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2010, Page 7, Section 10.110, Line 26, by inserting immediately after said line the following new lines:

"For a pilot project to extend treatment services for methamphetamine treatment  
From Inmate Revolving Fund ..... \$900,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 2** was adopted.

Representative Pearce offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2010, Page 30, Section 10.645, by inserting the following new line immediately after Line 13:

"From Blindness Education, Screening and Treatment Program Fund ..... 99,000"; and

Adjust section and bill totals accordingly.

On motion of Representative Pearce, **House Amendment No. 3** was adopted.

Representative Walsh offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2010, Page 24, Section 10.555, by deleting Lines 4 through 9 and replacing them with:

"Personal Services, Expenses and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation"; and

Further amend said page, Section 10.560, by deleting Lines 4 through 9 and replacing them with:

"Personal Services, Expenses and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation"; and

Further amend said section, by deleting Lines 13 through 18 and replacing them with:

"Personal Services, Expenses and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 25, Section 10.565, by deleting Lines 4 through 9 and replacing them with:

"Personal Services, Expenses and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 26, Section 10.570, by deleting Lines 4 through 9 and replacing them with:

"Personal Services, Expenses and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation"; and

Further amend said page, Section 10.575, by deleting Lines 4 through 9 and replacing them with:

"Personal Services, Expenses and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation"; and

Further amend said bill, Page 27, Section 10.580, by deleting Lines 4 through 9 and replacing them with:

"Personal Services, Expenses and Equipment, and/or Purchase of Community Services, provided that not more than fifteen percent (15%) flexibility is allowed between each appropriation".

Representative Walsh moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Davis	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 110
Haywood	Hodges	Hoskins	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Quinn 9	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Young	Zimmerman

NOES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson

Threlkeld	Tilley	Viebrock	Wallace	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Corcoran	Harris 23	Holsman	Hubbard
Lembke	Lowe 44	Page	Robinson	Salva
Talboy	Wasson	Wells	Yaeger	Zweifel

VACANCIES: 002

**HCS HB 2010, as amended**, was laid over.

**HCS HB 2011**, relating to appropriations, was taken up by Representative Icet.

Representative Tilley offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2011, Page 22, Section 11.465, Line 7, by inserting the following immediately after the word "Program":

". The MO HealthNet Division of the Department of Social Services shall implement a pilot dental carve-out demonstration project beginning on September 1, 2008, for the following counties: Perry, Ste. Genevieve, St. Francois, Maries, Pulaski, Phelps, Madison and Washington that are currently in the managed care region, and other counties that are not in managed care including, Crawford, Dent, Texas, Shannon, Reynolds, Iron, Bollinger, Perry, Cape Girardeau, Wayne, Howell, Oregon, Ripley, Carter, Butler, Stoddard, Scott, Mississippi, New Madrid, Dunklin, Pemiscot, Laclede, Wright, Douglass and Ozark. The MO HealthNet Division shall seek an Administrative Services Organization which has proven experience administering dental benefits for the Medicaid population to operate the carve-out under the supervision of the division".

On motion of Representative Tilley, **House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2011, Page 22, Section 11.465, Line 8, by deleting "5,570,111" and inserting "5,376,611"; and

Further amend said section, Line 9, by deleting "11,186,807" and inserting "10,857,334"; and

Further amend said bill, Page 25, Section 11.490, Line 11, by deleting "248,245,790" and inserting "247,989,290"; and

Further amend said section, Line 12, by deleting "709,666,025" and inserting "709,229,282"; and

Further amend section and bill totals accordingly.

On motion of Representative Stevenson, **House Amendment No. 2** was adopted.

**HCS HB 2011, as amended**, was laid over.

**HCS HB 2003**, relating to appropriations, was taken up by Representative Icet.

Representative Stevenson offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2003, Page 7, Section 3.140, Line 3, by deleting "23,026,793" and inserting "23,476,793"; and

Further amend said bill by adjusting section and bill totals accordingly.

On motion of Representative Stevenson, **House Amendment No. 4** was adopted.

**HCS HB 2003, as amended**, was laid over.

**HCS HB 2011, as amended**, relating to appropriations, was again taken up by Representative Icet.

Representative McClanahan offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2011, Page 26, Section 11.505, Line 18, by deleting "118,957,390" and inserting "49,412,217"; and

Further amend said bill by amending section and bill totals accordingly.

Representative St. Onge assumed the Chair.

Representative McClanahan moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schneider	Schoemehl
Shively	Skaggs	Smith 150	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Wildberger	Witte	Wright-Jones	Zimmerman
Zweifel				



NOES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Corcoran	Dougherty	Haywood	Hubbard
Lowe 44	Page	Salva	Walton	Whorton
Yaeger	Young			

VACANCIES: 002

### Representative Curls offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2011, Page 26, Section 11.505, Line 15, by deleting "40,193,608" and inserting "31,081,327"; and

Further amend said section, Line 16, by deleting "405,237,628" and inserting "389,722,122"; and

Further amend section and bill totals accordingly.

Representative Curls moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Bland	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155
Curls	Darrough	Daus	Donnelly	Dougherty
El-Amin	Fallert	Frame	George	Grill
Grisamore	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hughes	Johnson	Kasten
Komo	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Lipke	Low 39	McClanahan

Meadows	Meiners	Nasheed	Nolte	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schaaf	Schieffer	Schneider	Schoemehl
Shively	Skaggs	Smith 150	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Young	Zimmerman	Zweifel	

NOES: 077

Baker 123	Bivins	Brown 30	Bruns	Cooper 120
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Lembke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Corcoran	Dusenberg	Hubbard	Lowe 44
Marsh	Page	Salva	Wright 159	Yaeger

VACANCIES: 002

Representative LeVota requested a verification of the roll call on the motion to adopt **House Amendment No. 4.**

Representative Donnelly offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 2011, Page 26, Section 11.505, Line 15, by deleting "40,193,608" and inserting "37,931,483"; and

Further amend said section, Line 16, by deleting "405,237,628" and inserting "401,385,902"; and

Further amend section and bill totals accordingly.

On motion of Representative Donnelly, **House Amendment No. 5** was adopted by the following vote:

AYES: 079

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cooper 155	Curls
Darrough	Daus	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Fallert	Frame	George
Grill	Grisamore	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Johnson
Kasten	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Low 39
McClanahan	Meadows	Meiners	Nasheed	Nolte
Norr	Onder	Oxford	Quinn 9	Robinson
Roorda	Rucker	Sander	Scavuzzo	Schaaf
Schieffer	Schoemehl	Shively	Skaggs	Smith 150
Spreng	Storch	Stream	Swinger	Talboy
Threlkeld	Todd	Villa	Vogt	Walsh
Weter	Whorton	Wildberger	Witte	Wright-Jones
Yates	Young	Zimmerman	Zweifel	

NOES: 073

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kelly	Kingery
Lembke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sater	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Stevenson
St. Onge	Sutherland	Thomson	Tilley	Viebrock
Wallace	Wasson	Wells	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Corcoran	Hubbard	Lowe 44	Marsh
Page	Salva	Walton	Yaeger	

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

Representative Donnelly offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 2011, Page 22, Section 11.460, Line 13, by deleting "174,236,801" and inserting "174,411,915"; and

Further amend said section, Line 14, by deleting "324,619,513" and inserting "324,917,680"; and

Further amend said bill, Page 24, Section 11.485, Line 15, by deleting "75,686,657" and inserting "75,841,022"; and

Further amend said section, Line 16, by deleting "129,038,862" and inserting "129,301,700"; and

Further amend said bill, Page 26, Section 11.505, Line 15, by deleting "40,193,608" and inserting "42,126,254"; and

Further amend said section, Line 16, by deleting "405,237,628" and inserting "408,528,350"; and

Further amend section and bill totals accordingly.

On motion of Representative Donnelly, **House Amendment No. 6** was adopted by the following vote:

AYES: 137

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Johnson
Jones 89	Jones 117	Kasten	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Robinson	Roorda	Rucker	Ruzicka
Sander	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 013

Cooper 120	Davis	Ice	Kelly	May
Pollock	Richard	Robb	Ruestman	Sater
Schad	Smith 14	Stevenson		

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bland	Corcoran	El-Amin	Hubbard
Hunter	Lowe 44	Marsh	Page	Salva
Yaeger				

VACANCIES: 002

Representative Baker (25) offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 2011, Page 21, Section 11.445, Line 31, by deleting "188,690,291" and inserting "188,090,291"; and

Further amend section and bill totals accordingly.

On motion of Representative Baker (25), **House Amendment No. 7** was adopted.

Representative Baker (25) offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill No. 2011, Page 12, Section 11.210, Line 6, by inserting the following immediately after the word "services":

". \$500,000 shall be used to increase the reimbursement rates to providers for intensive in-home services and \$100,000 shall be used to increase the reimbursement rates to providers for family reunification services. Additionally, \$300,000 shall be used for the purpose of providing funding for crisis intervention for families in the intensive in-home services program"; and

Further amend said section, Line 7, by deleting "6,826,191" and inserting "7,426,191"; and

Further adjust section and bill totals accordingly.

On motion of Representative Baker (25), **House Amendment No. 8** was adopted.

Representative Roorda offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for House Bill No. 2011, Page 26, Section 11.505, Line 22, by deleting "2,365,987" and inserting "1,365,987"; and

Further amend said bill by adjusting section and bill totals accordingly.

Representative Roorda moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Young	Zimmerman
Zweifel				

NOES: 090

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Corcoran	Harris 23	Hubbard	Hunter
Lowe 44	Page	Salva	Walton	Yaeger

VACANCIES: 002

Representative Lampe offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for House Bill No. 2011, Page 20, Section 11.440, Line 10, by deleting "15,922,716" and inserting "15,022,716"; and

Further amend said section, Line 11, by deleting "23,188,135" and inserting "21,893,013"; and

Further adjust section and bill totals accordingly.

Representative Nieves resumed the Chair.

Representative Lampe moved that **House Amendment No. 10** be adopted.

Which motion was defeated by the following vote:

AYES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Dixon	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Young	Zimmerman	Zweifel		

NOES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Corcoran	Dougherty	Hubbard	Lowe 44
Page	Robinson	Salva	Threlkeld	Yaeger

VACANCIES: 002

**HCS HB 2011, as amended**, was laid over.

**HCS HB 2012**, relating to appropriations, was taken up by Representative Icet.

**HCS HB 2012** was laid over.

**HCS HB 2013**, relating to appropriations, was taken up by Representative Icet.

Representative Lembke offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2013, Page 11, Section 13.120, Line 7, by deleting "355,825" and inserting "1,192,475"; and

Further amend said bill by amending section and bill totals accordingly.

Representative Darrough raised a point of order that **House Amendment No. 1** is in violation of Rule 46(f).

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Lembke, **House Amendment No. 1** was adopted.

**HCS HB 2013, as amended**, was laid over.

**HB 2001**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2001** was ordered perfected and printed.

**HCS HB 2002, as amended**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2002, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2002, as amended**, was ordered perfected and printed.

**HCS HB 2003, as amended**, relating to appropriations, was again taken up by Representative Icet.



On motion of Representative Icet, **HCS HB 2003, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2003, as amended**, was ordered perfected and printed.

**HB 2004**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2004** was ordered perfected and printed.

**HCS HB 2005, as amended**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2005, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2005, as amended**, was ordered perfected and printed.

**HCS HB 2006, as amended**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2006, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2006, as amended**, was ordered perfected and printed.

**HCS HB 2007**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2007** was adopted.

On motion of Representative Icet, **HCS HB 2007** was ordered perfected and printed.

**HCS HB 2008, as amended**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2008, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2008, as amended**, was ordered perfected and printed.

**HCS HB 2009**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2009** was adopted.

On motion of Representative Icet, **HCS HB 2009** was ordered perfected and printed.

**HCS HB 2010, as amended**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2010, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2010, as amended**, was ordered perfected and printed.

**HCS HB 2011, as amended**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2011, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2011, as amended**, was ordered perfected and printed.

**HCS HB 2012**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2012** was adopted.

On motion of Representative Icet, **HCS HB 2012** was ordered perfected and printed.

**HCS HB 2013, as amended**, relating to appropriations, was again taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2013, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2013, as amended**, was ordered perfected and printed.

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 723** - Crime Prevention and Public Safety

**SCS SBs 753, 728, 906 & 1026** - Transportation

**SCS SB 760** - Transportation

**SB 801** - Special Committee on General Laws

**SB 820** - Local Government

**SB 841** - Transportation

**SB 845** - Local Government

**SCS SB 850** - Special Committee on Professional Registration and Licensing

**SB 856** - Transportation

**SB 885** - Special Committee on Family Services

**SB 896** - Local Government

**SB 901** - Special Committee on Workforce Development and Workplace Safety

**SB 925** - Elementary and Secondary Education

**SB 936** - Transportation  
**SCS SB 942** - Agriculture Policy  
**SB 943** - Local Government  
**SCS SB 951** - Special Committee on Financial Institutions  
**SB 953** - Judiciary  
**SB 955** - Transportation  
**SB 970** - Elections  
**SB 978** - Elections  
**SB 991** - Special Committee on Tourism  
**SB 999** - Special Committee on Financial Institutions  
**SB 1002** - Local Government  
**SCS SB 1008** - Special Committee on Health Insurance  
**SCS SB 1009** - Special Committee on Professional Registration and Licensing  
**SB 1010** - Corrections and Public Institutions  
**SCS SB 1039** - Special Committee on Government Affairs  
**SB 1061** - Special Committee on Professional Registration and Licensing  
**SB 1066** - Special Committee on Student Achievement

### **COMMITTEE REPORTS**

**Committee on Conservation and Natural Resources**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 2328**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 2393**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 1611, HB 1677, HCS HB 1807, HB 1881, HB 1869, HB 1946, HCS HB 2104, HCS HB 2204** and **HB 2226**.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 75**, introduced by Representative Aull, relating to volunteer bingo game operations.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2450**, introduced by Representatives Page, Cooper (155), Talboy, Lampe, Johnson, Oxford, Storch, Bland, Zimmerman, Walsh, Fallert, Schoemehl, Darrough and Schaaf, relating to patient safety.

**HB 2451**, introduced by Representative Yates, relating to licensing of a geographical information system by a community.

**HB 2452**, introduced by Representative Yates, relating to the creation of a registry of contractors.

**HB 2453**, introduced by Representative Pratt, relating to the Missouri uniform trust code.

**HB 2454**, introduced by Representative Kraus, relating to the licensure of bail bond and surety recovery agents.

**HB 2455**, introduced by Representatives Dusenberg, Wildberger and Silvey, relating to rail transport of hazardous materials.

**HB 2456**, introduced by Representative Kratky, relating to the creation of a military medal of freedom.

**HB 2457**, introduced by Representative Jones (117), relating to the transfer of long-term care beds to certain new health care facilities.

**HB 2458**, introduced by Representatives Jones (89), Jetton, Hubbard, El-Amin, Hoskins, Hughes, Pratt, Tilley, Richard, Nieves, Cunningham (86), Davis, Emery, Icet, Parson, Robb, Stevenson, Bivins, Muschany, Portwood, Schoeller, Faith, Jones (117), Schaaf, Funderburk, Hunter, Onder, Scharnhorst, Smith (14) and Parkinson, relating to educational tax credits.

**HB 2459**, introduced by Representatives Storch, Lampe and Baker (25), relating to affordable housing.

**HB 2460**, introduced by Representatives Emery and Jones (89), relating to the Missouri human rights act.

**HB 2461**, introduced by Representative Sutherland, relating to corporate franchise tax.

**HB 2462**, introduced by Representatives McClanahan, Portwood, Witte, Page, Kuessner, Young, El-Amin and Dougherty, relating to information obtained by the state board of nursing.

**HB 2463**, introduced by Representatives McClanahan, Bruns, George, Oxford, Norr, Rucker, Schieffer, Roorda, Hodges, Moore, Wildberger and Yaeger, relating to detection devices.

**HB 2464**, introduced by Representatives Oxford, Yaeger, Low (39), Curls, Donnelly, Daus, Meiners, Wright-Jones and Lampe, relating to child support.

**HB 2465**, introduced by Representatives Oxford, Yaeger, Donnelly, Daus, Wright-Jones, Lampe and Low (39), relating to the quality early childhood act.

**HB 2466**, introduced by Representatives Oxford, Wildberger, Yaeger, Daus and Low (39), relating to the Missouri housing development commission.

**HB 2467**, introduced by Representatives Baker (123), Ervin, Thomson, Yates, Kraus, Muschany, Richard, Lembke, Nieves, Sutherland, McGhee, Kelly, Day, Fisher, Stream, Pearce, Sater, Funderburk, Smith (14), Parkinson, Wilson (130), Jones (117), Wood, Munzlinger, Flook, Bruns and Brown (30), relating to income tax rates.

**HB 2468**, introduced by Representatives Schoeller, Emery, Viebrock, Bivins, George, Lembke, Lampe, Skaggs, Smith (14), Walsh and Zimmerman, relating to the authority of the public service commission.

**HB 2469**, introduced by Representatives Kuessner, Walsh and Wildberger, relating to funeral contracts.

### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2014**, entitled:

An act to appropriate money for supplemental purposes for the several departments and offices of state government, and for purchase of equipment, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

In which the concurrence of the House is respectfully requested.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, March 27, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

### **AFFIDAVIT**

I, State Representative Brian Yates, District 56, hereby state and affirm that my vote as recorded on Page 525 of the House Journal for March 25, 2008 was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 26th day of March 2008.

/s/ Brian Yates  
State Representative

State of Missouri            )  
                                      ) ss.  
County of Miller            )

Subscribed and sworn to before me this 26th day of March in the year 2008.

/s/ Megan J. Limbach  
Notary Public

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, March 27, 2008, 8:00 a.m. Hearing Room 6.

Meeting for informational purposes only.

FCS Financial representatives to address the committee.

Possible Executive session to follow.

### **JOINT COMMITTEE ON CORRECTIONS**

Wednesday, April 2, 2008, 9:00 a.m. Hearing Room 3.

Business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021

### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, March 27, 2008, Hearing Room 1 upon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1849, HB 2261, HB 2144, HB 1535, HCS HB 2060, HB 1981, HB 1716, HB 1756, HB 1957, HCS HB 2250, HCS HB 1474, HCS HB 2328, HCS HB 1813, HCS HBs 2062 & 1518, HCS#2 HB 1423, HCS HBs 2189, 2208, 2178 & 2333, HCS HCR 21, HCS HB 2321, HCR 26, HCS HB 2393

### **SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1866, HB 1747, HB 1794, HB 1954, HB 1961

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, April 1, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session to follow.

Public hearings to be held on: HB 2198, HB 2282, HB 2149, HB 2256, HB 2100

**SPECIAL COMMITTEE ON IMMIGRATION**

Thursday, March 27, 2008, House Chamber side gallery thirty minutes after adjournment.

Brief Executive session only.

No meeting this evening Wednesday, March 26, 2008.

Hearing next Wednesday, April 2, 2008.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, March 27, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1827, HB 1976

**HOUSE CALENDAR**

FORTY-SECOND DAY, THURSDAY, MARCH 27, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 75

**HOUSE BILLS FOR SECOND READING**

HB 2450 through HB 2469

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HB 1773 - Funderburk
- 7 HCS#2 HB 1886 - Scharnhorst
- 8 HCS HB 1393 - Dusenberger
- 9 HCS HB 1715 - Schad
- 10 HCS HB 1790 - Cooper (155)
- 11 HCS HB 1550 - Stevenson
- 12 HCS HBs 1788 & 1882 - Day
- 13 HCS HB 1802 - Wilson (130)

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- 14 HB 1319 - Brown (50)
- 15 HCS HB 1644 - Muschany
- 16 HCS HB 2188 - Pearce
- 17 HCS HB 1929 - Cooper (120)
- 18 HB 1832 - Cooper (120)
- 19 HCS HB 1341 - Ruestman
- 20 HCS HB 1332 - Schaaf

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/13/08)

- 1 HB 1419 - Portwood
- 2 HCS HB 1546 - Schaaf
- 3 HB 1617 - Cunningham (86)
- 4 HB 1706 - Baker (123)
- 5 HCS HB 1707 - Baker (123)
- 6 HB 1710 - Flook
- 7 HB 1784 - Meadows
- 8 HB 1791 - Cooper (155)
- 9 HCS HB 1804 - Corcoran
- 10 HB 1828 - Sutherland
- 11 HB 1864 - Parson
- 12 HCS HB 1883 - Nance
- 13 HCS HB 1888 - Schoeller
- 14 HCS HB 1893 - Scharnhorst
- 15 HCS HB 1904 - Cox
- 16 HCS HB 1910 - Ervin
- 17 HB 1995 - Schieffer
- 18 HCS HB 2064 - Parson
- 19 HCS HB 2360 - Guest

(3/26/08)

- 1 HCS HB 1676 - Hoskins
- 2 HCS HB 1783 - Meadows
- 3 HB 1861 - Baker (25)
- 4 HB 1887 - Parson
- 5 HB 1937 - Pearce
- 6 HB 1952 - Loehner
- 7 HB 1956 - Bivins
- 8 HCS HB 2036 - Nance
- 9 HB 2047 - Curls



- 10 HCS HB 2048 - Zimmerman
- 11 HB 2051 - Kelly
- 12 HCS HB 2068 - Kuessner
- 13 HCS HB 2082 - Dougherty
- 14 HB 2157 - Grill
- 15 HCS HB 2206 - Sutherland
- 16 HB 2213 - Kraus
- 17 HB 2224 - Jones (117)
- 18 HB 2233 - Page
- 19 HB 2258 - Pollock

#### **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood

#### **HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HB 2001 - Icet
- 2 HCS HB 2002 - Icet
- 3 HCS HB 2003 - Icet
- 4 HB 2004 - Icet
- 5 HCS HB 2005 - Icet
- 6 HCS HB 2006 - Icet
- 7 HCS HB 2007 - Icet
- 8 HCS HB 2008 - Icet
- 9 HCS HB 2009 - Icet
- 10 HCS HB 2010 - Icet
- 11 HCS HB 2011 - Icet
- 12 HCS HB 2012 - Icet
- 13 HCS HB 2013 - Icet

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326 - Sater

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1490 - Deeken
- 6 HB 1532 - Davis
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1972 - Franz
- 12 HB 1973 - Franz
- 13 HB 1368 - Thomson
- 14 HB 1689 - Wilson (130)
- 15 HB 2055 - Viebrock
- 16 HCS HB 2056 - Viebrock
- 17 HB 1358 - Flook
- 18 HB 1422 - St. Onge
- 19 HB 1469 - Pratt
- 20 HB 1805 - Schaaf
- 21 HB 1983 - Pratt
- 22 HB 1426 - Kraus
- 23 HB 1616 - Ruzicka
- 24 HCS HB 1690 - Wilson (130)
- 25 HCS HBs 1876 & 1877 - Cunningham (86)
- 26 HB 2065 - Wasson
- 27 HB 2081 - Dougherty
- 28 HCS HB 1611 - Dixon
- 29 HB 1677 - Franz
- 30 HCS HB 1807 - Cox
- 31 HB 1881 - Schlottach
- 32 HB 1869 - Wilson (130)
- 33 HB 1946 - Franz
- 34 HCS HB 2104 - Viebrock
- 35 HCS HB 2204 - Ervin
- 36 HB 2226 - Muschany

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 30, (3-13-08, Pages 500-501) - Emery

**HOUSE BILL WITH SENATE AMENDMENT**

SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-SECOND DAY, THURSDAY, MARCH 27, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

"Let us greet the Lord with thanksgiving;  
let us joyfully sing psalms to him."  
(*Psalm 95:2*)

Almighty God, we offer You the late hours of work this week as a thanksgiving sacrifice. We thank You for the opportunity to serve and for the great amount of work accomplished.

Continue to bless us in wisdom and right judgment, that we might do our part in distributing the resources of our State in justice and equity through a healthy budget.

We thank You for the coming weekend. We pray for the safety of those who travel and for the healing of the sick.

We pray that You, Almighty God, change the hearts of those who continue to precipitate violence and war. Protect our armed forces and bring peace to Iraq and Afghanistan, and wherever there is violent killing.

To You be honor and thanksgiving forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Aaron Powell, Grant Martin, Courtney Gazaway, Lane Brewer, Arby McGhee, Mallory Early, Megan Uptegrove, Alex Anstine, William Noe, Chance Cumpton, David Spaid, Zach Leader, Cassie Watkins, Jenna Watkins, Jacob McGary, Trinity King, Damon King, Ashley Gonnerman, Zach Hudson, Megan Bowers, Emily Klote and Robert Schaaf.

The Journal of the forty-first day was approved as printed.

Speaker Jetton assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

### **SPECIAL RECOGNITION**

Eric Langhorst was introduced by Representative Flook and recognized as the 2008 State Teacher of the Year.

The Blue Springs Wildcats Girls Swimming and Diving Team was introduced by Representative Dusenberg and recognized for attaining the 2008 State Championship.

### **HOUSE RESOLUTION**

Representative Dethrow, et al., offered House Resolution No. 1316.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1300 through House Resolution No. 1315  
House Resolution No. 1317 and House Resolution No. 1318

### **HOUSE CONCURRENT RESOLUTIONS**

Representative Quinn (9) offered House Concurrent Resolution No. 39.  
Representative Avery, et al., offered House Concurrent Resolution No. 40.  
Representative Quinn (7), et al., offered House Concurrent Resolution No. 41.

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 75** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 2450** through **HB 2469** were read the second time.

### **THIRD READING OF HOUSE BILLS - APPROPRIATIONS**

**HB 2001**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2001** was read the third time and passed by the following vote:

AYES: 156

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest

Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Bringer

PRESENT: 000

ABSENT WITH LEAVE: 004

Avery	Hubbard	Lowe 44	Storch
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VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Nieves assumed the Chair.

**HCS HB 2002**, relating to appropriations, was taken up by Representative Ice.

On motion of Representative Ice, **HCS HB 2002** was read the third time and passed by the following vote:

AYES: 090

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh

May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 066

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Davis	Donnelly	El-Amin
Ervin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Hubbard	Lowe 44	Page	Storch
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VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HB 2003**, relating to appropriations, was taken up by Representative Icet.

Representative St. Onge assumed the Chair.

Representative Nieves resumed the Chair.

On motion of Representative Icet, **HCS HB 2003** was read the third time and passed by the following vote:

AYES: 090

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Icet

Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Roorda	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 066

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Davis	Donnelly	El-Amin
Ervin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Swinger	Talboy	Threlkeld	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Hubbard	Lowe 44	Salva	Storch
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VACANCIES: 002

Representative Nieves declared the bill passed.

**HB 2004**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HB 2004** was read the third time and passed by the following vote:

AYES: 095

Baker 25	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Kuessner	Lembke	Lipke
Loehner	Marsh	May	McGhee	Meiners



Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Ervin	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kratky
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Norr	Oxford	Page	Portwood
Quinn 9	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Cooper 120	Dougherty	Hubbard	Hunter
Lowe 44	Storch			

VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HB 2005**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2005** was read the third time and passed by the following vote:

AYES: 107

Aull	Bivins	Bland	Brandom	Brown 30
Bruns	Casey	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Haywood	Hobbs	Hodges	Hoskins
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Lembke	Lipke
Lochner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson

Pearce	Pollock	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Zweifel	Mr Speaker			

NOES: 049

Baker 25	Baker 123	Bringer	Brown 50	Burnett
Chappelle-Nadal	Cooper 155	Darrough	Daus	Davis
Donnelly	Dusenberg	Ervin	Frame	George
Harris 23	Harris 110	Holsman	Hughes	Komo
Kraus	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Nasheed	Norr	Oxford
Page	Portwood	Pratt	Roorda	Schieffer
Schoemehl	Shively	Skaggs	Swinger	Talboy
Vogt	Walsh	Walton	Witte	Wright-Jones
Yaeger	Yates	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 005

Avery	Hubbard	Hunter	Lowe 44	Storch
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VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HB 2006**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2006** was read the third time and passed by the following vote:

AYES: 134

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Faith
Fallert	Fares	Fisher	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Kratky	Kraus	Kuessner	Lembke
LeVota	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Page	Parkinson	Parson

Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 015

Baker 123	Burnett	Ervin	Flook	Frame
Kasten	Komo	Lampe	Low 39	Norr
Oxford	Portwood	Skaggs	Talboy	Vogt

PRESENT: 002

Swinger	Witte
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ABSENT WITH LEAVE: 010

Avery	Cooper 120	Cooper 155	Haywood	Hubbard
Hughes	Hunter	Liese	Lowe 44	Storch

VACANCIES: 002

Representative Nieves declared the bill passed.

Speaker Jetton resumed the Chair.

**HCS HB 2007**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2007** was read the third time and passed by the following vote:

AYES: 082

Bivins	Brandom	Bruns	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Emery
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Nance
Nieves	Nolte	Onder	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld

Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 070

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Corcoran
Curls	Darrough	Daus	Davis	Donnelly
Dusenberg	El-Amin	Ervin	Fallert	Frame
George	Harris 23	Harris 110	Haywood	Hodges
Holsman	Johnson	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Lipke
Low 39	Meadows	Meiners	Muschany	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Sander	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Chappelle-Nadal	Grill	Hubbard	Hughes
Lowe 44	McClanahan	Parkinson	Storch	

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 2008**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2008** was read the third time and passed by the following vote:

AYES: 152

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page

Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Ervin	Komo
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PRESENT: 000

ABSENT WITH LEAVE: 007

Avery	Chappelle-Nadal	Grill	Hubbard	Hughes
Lowe 44	Storch			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 2009**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2009** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Darrough	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater

Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 007

Baker 123	Bringer	Daus	Davis	Ervin
Komo	Oxford			

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Chappelle-Nadal	Curls	El-Amin	Grill
Hubbard	Hughes	LeVota	Lowe 44	Storch
Zimmerman				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 2010**, relating to appropriations, was taken up by Representative Icet.

Representative Brandom assumed the Chair.

On motion of Representative Icet, **HCS HB 2010** was read the third time and passed by the following vote:

AYES: 087

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells

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Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 066

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Davis	Donnelly
El-Amin	Ervin	Fallert	Frame	George
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Portwood	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 007

Avery	Grill	Hubbard	Lowe 44	Salva
Storch	Wildberger			

VACANCIES: 002

Representative Brandom declared the bill passed.

**HCS HB 2011**, relating to appropriations, was taken up by Representative Icet.

Speaker Jetton resumed the Chair.

Representative Brandom resumed the Chair.

On motion of Representative Icet, **HCS HB 2011** was read the third time and passed by the following vote:

AYES: 087

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb

Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Baker 123	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Davis	Donnelly	Ervin
Fallert	Frame	George	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Portwood	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Talboy	Todd	Villa	Vogt
Walsh	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 011

Avery	Bland	El-Amin	Grill	Hubbard
Lowe 44	Salva	Storch	Walton	Whorton
Wildberger				

VACANCIES: 002

Representative Brandom declared the bill passed.

Speaker Jetton resumed the Chair.

Representative Swinger assumed the Chair.

**HCS HB 2012**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2012** was read the third time and passed by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89



Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Davis	Donnelly	Ervin	Fallert
Frame	George	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Portwood
Robinson	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Spreng	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Bland	El-Amin	Grill	Hubbard
Lowe 44	Quinn 9	Salva	Skaggs	Storch
Walton	Whorton	Wildberger		

VACANCIES: 002

Representative Swinger declared the bill passed.

**HCS HB 2013**, relating to appropriations, was taken up by Representative Icet.

Speaker Jetton resumed the Chair.

On motion of Representative Icet, **HCS HB 2013** was read the third time and passed by the following vote:

AYES: 100

Aull	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Faith	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Harris 110

Hobbs	Hodges	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kratky	Kraus	Lembke	Lipke	Loehner
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Young	Mr Speaker

NOES: 045

Baker 25	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Donnelly
Ervin	Fallert	George	Harris 23	Haywood
Hughes	Johnson	Komo	Kuessner	Lampe
LeVota	Liese	Low 39	McClanahan	Meadows
Nasheed	Norr	Oxford	Quinn 9	Roorda
Scavuzzo	Schieffer	Schoemehl	Shively	Spreng
Swinger	Talboy	Todd	Vogt	Walsh
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bland	Curls	El-Amin	Grill
Holsman	Hubbard	Lowe 44	Marsh	Page
Salva	Skaggs	Storch	Walton	Whorton
Wildberger				

VACANCIES: 002

Speaker Jetton declared the bill passed.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1960** - Elementary and Secondary Education  
**HB 1965** - Elections  
**HB 1966** - Special Committee on Small Business  
**HB 1971** - Special Committee on Healthcare Transformation  
**HB 1979** - Higher Education  
**HB 1986** - Local Government  
**HB 1987** - Judiciary  
**HB 2000** - Local Government  
**HB 2032** - Health Care Policy  
**HB 2043** - Special Committee on General Laws

- HB 2052** - Special Committee on Professional Registration and Licensing
- HB 2061** - Local Government
- HB 2069** - Crime Prevention and Public Safety
- HB 2070** - Elementary and Secondary Education
- HB 2071** - Ways and Means
- HB 2077** - Special Committee on Workforce Development and Workplace Safety
- HB 2080** - Elections
- HB 2086** - Elections
- HB 2087** - Elections
- HB 2088** - Elections
- HB 2089** - Elections
- HB 2091** - Special Committee on Tourism
- HB 2098** - Special Committee on Professional Registration and Licensing
- HB 2107** - Special Committee on Veterans
- HB 2121** - Elementary and Secondary Education
- HB 2122** - Crime Prevention and Public Safety
- HB 2130** - Health Care Policy
- HB 2139** - Special Committee on Professional Registration and Licensing
- HB 2140** - Ways and Means
- HB 2141** - Local Government
- HB 2154** - Special Committee on Utilities
- HB 2160** - Elections
- HB 2161** - Special Committee on Financial Institutions
- HB 2177** - Judiciary
- HB 2179** - Special Committee on Immigration
- HB 2181** - Elementary and Secondary Education
- HB 2195** - Special Committee on Veterans
- HB 2197** - Judiciary
- HB 2201** - Local Government
- HB 2202** - Corrections and Public Institutions
- HB 2215** - Special Committee on Job Creation and Economic Development
- HB 2219** - Elementary and Secondary Education
- HB 2220** - Elementary and Secondary Education
- HB 2225** - Elementary and Secondary Education
- HB 2238** - Conservation and Natural Resources
- HB 2257** - Crime Prevention and Public Safety
- HB 2269** - Local Government
- HB 2264** - Special Committee on Family Services
- HB 2265** - Health Care Policy
- HB 2343** - Special Committee on Senior Citizen Advocacy
- HB 2351** - Health Care Policy
- HB 2355** - Special Committee on Healthcare Transformation
- HB 2370** - Special Committee on Professional Registration and Licensing
- HB 2376** - Elementary and Secondary Education
- HB 2377** - Special Committee on Job Creation and Economic Development
- HB 2394** - Special Committee on Healthcare Transformation
- HB 2398** - Special Committee on Healthcare Transformation

**HB 2413** - Special Committee on Healthcare Transformation  
**HB 2429** - Special Committee on Workforce Development and Workplace Safety  
**HB 2458** - Special Committee on Student Achievement

### **RE-REFERRAL OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was re-referred to the Committee indicated:

**HCR 25** - Special Committee on Family Services

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 711** - Ways and Means  
**SCS SB 781** - Judiciary  
**SCS SB 806** - Special Committee on Government Affairs  
**SCS SB 830** - Special Committee on Veterans  
**SS SCS SB 931** - Special Committee on Agri-business  
**SB 1038** - Elections

### **COMMITTEE REPORTS**

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 21**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 26**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 1423**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1474**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1535**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1716**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1756**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1813**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1849**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1957**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1981**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2060**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 2062 & 1518**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2144**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 2189, 2208, 2178 & 2333**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2250**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2321**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2328**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2393**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1419, HCS HB 1546, HB 1617, HB 1706, HCS HB 1707, HB 1710, HB 1784, HB 1791, HCS HB 1804, HB 1828, HB 1864, HCS HB 1883, HCS HB 1888, HCS HB 1893, HCS HB 1904, HCS HB 1910, HB 1995, HCS HB 2064 and HCS HB 2360.**

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2470**, introduced by Representative Flook, relating to assistance programs.

**HB 2471**, introduced by Representatives Scharnhorst, Cunningham (86), Smith (14), Stream, St. Onge, Ruzicka, Davis, Onder, Parkinson, Faith, Jones (117), Jones (89) and Denison, relating to the designation of a memorial highway.

**HB 2472**, introduced by Representatives Robb, Hunter, Schad and Ruestman, relating to organized labor.

**HB 2473**, introduced by Representative Wood, relating to detachment from public water supply districts.

**HB 2474**, introduced by Representative Pratt, relating to tax increment financing.

**HB 2475**, introduced by Representatives Stevenson, Lipke, Yates, Onder, Donnelly, Cox, Jones (89) and Pratt, relating to the prosecuting and circuit attorneys' retirement system.

**HB 2476**, introduced by Representatives Stevenson, Funderburk, Nance and Cox, relating to orders of protection.

**HB 2477**, introduced by Representatives Hughes, Burnett, Low (39), Bland, Talboy, Hoskins, Nasheed, Brown (50) and El-Amin, relating to expungement of certain criminal records.

**HB 2478**, introduced by Representatives Low (39), Baker (25), Holsman, Walsh, Oxford, Nasheed, George, Frame, Wright-Jones and Corcoran, relating to school buses.

**HB 2479**, introduced by Representatives Wasson, Day, Wilson (130) and Kingery, relating to the designation of Silver Star Families of America Day in Missouri.

**HB 2480**, introduced by Representatives Harris (110), Roorda, Fallert and Meadows, relating to a sales tax for funding county public health centers.

**HB 2481**, introduced by Representatives Schoeller, Emery, Scharnhorst, Faith, Funderburk, Onder, Jetton, Parkinson, Cunningham (86), Stevenson, Nieves, Richard, Hobbs, McGhee, Jones (89), Villa, Icet, Davis, Bivins, Dougherty, Schad, Tilley, Lembke, Ruestman, Jones (117), Dixon and Parson, relating to open enrollment by contract.

**HB 2482**, introduced by Representatives Schoeller, Cunningham (86), Emery, Scharnhorst, Funderburk, Onder, Jetton, Parkinson, Stevenson, Nieves, Richard, Jones (89), Villa, Icet, Davis, Bivins, Threlkeld, Dougherty, Tilley, Lembke, Ruestman, Jones (117) and Dixon, relating to school enrollment.

**HB 2483**, introduced by Representatives Schoeller and Talboy, relating to improvement districts.

**HB 2484**, introduced by Representatives Low (39), Baker (25), Holsman, Walsh, Oxford, Nasheed, George, Frame, Hughes, Meadows, Skaggs, LeVota, Schoemehl, Wright-Jones, Chappelle-Nadal, Liese, Corcoran and Talboy, relating to the sale of toxic toys.

**HB 2485**, introduced by Representatives Low (39), Hughes, Walsh, Oxford, Donnelly, Nasheed, Frame, George, Schieffer, Page, Todd, Meadows, Skaggs, LeVota, Chappelle-Nadal, Schoemehl, Wright-Jones, Curls, Meiners, Baker (25), Corcoran, Holsman and Talboy, relating to equal employment practices.

**HB 2486**, introduced by Representative Lipke, relating to the Evan de Mello reimbursement program.

**HB 2487**, introduced by Representatives Smith (150), Kratky, Wood, Viebrock, Ruzicka and Schoeller, relating to real estate brokers.

**HB 2488**, introduced by Representatives Talboy, Jones (117), Parson, Burnett, Skaggs, Hughes, Holsman, Bland, Curls, Johnson, Daus, Rucker, Low (39) and Roorda, relating to eyewitness identification.

**HB 2489**, introduced by Representatives Funderburk, Scharnhorst, Ervin, Flook, Robb, Icet, Muschany, Jones (89), Parkinson, Ruestman, Hunter and Stream, relating to school district financial statements.

**HB 2490**, introduced by Representative Roorda, relating to neighborhood improvement districts.

**HB 2491**, introduced by Representative Hunter, relating to recovery of costs in a civil action.

**HB 2492**, introduced by Representative Bivins, relating to the disclosure of personal information by state agencies.

**HB 2493**, introduced by Representatives Bivins, Day and Fisher, relating to a special license plate.

**HB 2494**, introduced by Representatives Pollock, Wells, Kelly, Jetton, Parson, Faith, Brown (30), Franz, Day, Smith (150), Denison, Dethrow, Wallace, Wasson, Sater, Tilley, Nieves, Ruzicka, Weter, Schoeller, Wood, Viebrock, Fisher, Hobbs, Quinn (7), Funderburk, Richard, Scharnhorst, Wilson (119), Pratt, Onder and Emery, relating to electric cooperatives.

**HB 2495**, introduced by Representative Pollock, relating to motor fuel taxes.

**HB 2496**, introduced by Representatives Tilley, Cooper (120), Pratt and Swinger, relating to the housing development commission.

**HB 2497**, introduced by Representative Hoskins, relating to ballots at polling places.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 714, 933, 899 & 758**, entitled:

An act to repeal sections 43.650, 211.425, 491.075, 556.061, 565.153, 566.083, 566.147, 566.149, 573.025, 573.035, 573.037, 573.040, 589.015, 589.400, 589.402, 589.403, 589.405, 589.407, 589.414, 589.425, and 650.120, RSMo, and to enact in lieu thereof twenty-five new sections relating to sexual offenses, with penalty provisions and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 726**, entitled:

An act to amend chapters 162 and 210, RSMo, by adding thereto three new sections relating to child care.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 759**, entitled:

An act to repeal section 414.255, RSMo, and to enact in lieu thereof two new sections relating to biodiesel, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 767**, entitled:

An act to repeal sections 600.011, 600.015, 600.017, 600.019, 600.021, 600.040, 600.042, 600.048, 600.086, 600.089, 600.090, and 600.096, RSMo, and to enact in lieu thereof fourteen new sections relating to the public defender system, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 822**, entitled:

An act to amend chapter 137, RSMo, by adding thereto one new section relating to a property tax for cemetery maintenance.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 907**, entitled:

An act to repeal sections 260.1003, 319.129, 319.131, and 319.133, RSMo, and to enact in lieu thereof six new sections relating to the regulation of motor fuel tanks.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 939**, entitled:

An act to repeal sections 242.430, and 245.175, RSMo, and to enact in lieu thereof two new sections relating to certain district taxes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1116**, entitled:

An act to amend chapter 644, RSMo, by adding thereto three new sections relating to authorization of water-related bonds.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m, Friday, March 28, 2008.

## **COMMITTEE MEETINGS**

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, April 1, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1712, HB 1870, HB 1962

### **ELECTIONS**

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 5.

Executive session will follow.

Public hearings to be held on: SB 970, SB 978

### **JOINT COMMITTEE ON CORRECTIONS**

Wednesday, April 2, 2008, 9:00 a.m. Hearing Room 3.

Business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021

**JOINT COMMITTEE ON TAX POLICY**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 3.

Discussions on: Earnings Tax, future plans for TIF, corporate income tax, review of tax handbook proposals.

**JUDICIARY**

Tuesday, April 1, 2008, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 1621, HB 1728, HB 1799, HB 2352

**LOCAL GOVERNMENT**

Wednesday, April 2, 2008, Hearing Room 4 upon morning recess.

Executive session will follow.

Public hearings to be held on: HB 2045, HB 2061, HB 2141, SB 943, SB 896, SB 1002

**RULES - PURSUANT TO RULE 25(21)(f)**

Monday, March 31, 2008, Hearing Room 6 upon recess or adjournment.

Executive session may follow.

Public hearings to be held on: HCS HJR 49, HB 1517, HB 1923, HCS HB 2112, HCS HBs 1321 & 1695, HB 1339, HCS HB 2106, HCS HB 2117

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 1, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 1597, HB 1854

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1764, HB 2278, HB 2330, SB 801

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1866, HB 1747, HB 1794, HB 1954, HB 1961

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, April 1, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session to follow.

Public hearings to be held on: HB 2198, HB 2282, HB 2149, HB 2256, HB 2100

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, March 31, 2008, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Public hearing to be held on: HB 2355

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, April 1, 2008, 12:00 p.m. To Be Announced.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Public hearing to be held on: HB 2394

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 2, 2008, 12:00 p.m. To Be Announced.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of uninsured in Missouri.

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Monday, March 31, 2008, 3:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SB 1066

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Tuesday, April 1, 2008, Hearing Room 7 upon evening adjournment.

Executive session to follow.

Public hearing to be held on: HB 2207

**TRANSPORTATION**

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1356, SB 841, SCS SB 760, SCS SBs 753, 728, 906 & 1026, SB 936

**HOUSE CALENDAR**

FORTY-THIRD DAY, FRIDAY, MARCH 28, 2008

**HOUSE BILLS FOR SECOND READING**

HB 2470 through HB 2497

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HB 1773 - Funderburk
- 7 HCS#2 HB 1886 - Scharnhorst
- 8 HCS HB 1393 - Dusenberger
- 9 HCS HB 1715 - Schad
- 10 HCS HB 1790 - Cooper (155)
- 11 HCS HB 1550 - Stevenson
- 12 HCS HBs 1788 & 1882 - Day
- 13 HCS HB 1802 - Wilson (130)
- 14 HB 1319 - Brown (50)
- 15 HCS HB 1644 - Muschany
- 16 HCS HB 2188 - Pearce
- 17 HCS HB 1929 - Cooper (120)
- 18 HB 1832 - Cooper (120)
- 19 HCS HB 1341 - Ruestman
- 20 HCS HB 1332 - Schaaf

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/26/08)

- 1 HCS HB 1676 - Hoskins
- 2 HCS HB 1783 - Meadows
- 3 HB 1861 - Baker (25)
- 4 HB 1887 - Parson

- 5 HB 1937 - Pearce
- 6 HB 1952 - Loehner
- 7 HB 1956 - Bivins
- 8 HCS HB 2036 - Nance
- 9 HB 2047 - Curls
- 10 HCS HB 2048 - Zimmerman
- 11 HB 2051 - Kelly
- 12 HCS HB 2068 - Kuessner
- 13 HCS HB 2082 - Dougherty
- 14 HB 2157 - Grill
- 15 HCS HB 2206 - Sutherland
- 16 HB 2213 - Kraus
- 17 HB 2224 - Jones (117)
- 18 HB 2233 - Page
- 19 HB 2258 - Pollock

(3/28/08)

HB 1849 - Pratt

#### **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

#### **HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326 - Sater

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1490 - Deeken
- 6 HB 1532 - Davis
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1972 - Franz

- 12 HB 1973 - Franz
- 13 HB 1368 - Thomson
- 14 HB 1689 - Wilson (130)
- 15 HB 2055 - Viebrock
- 16 HCS HB 2056 - Viebrock
- 17 HB 1358 - Flook
- 18 HB 1422 - St. Onge
- 19 HB 1469 - Pratt
- 20 HB 1805 - Schaaf
- 21 HB 1983 - Pratt
- 22 HB 1426 - Kraus
- 23 HB 1616 - Ruzicka
- 24 HCS HB 1690 - Wilson (130)
- 25 HCS HBs 1876 & 1877 - Cunningham (86)
- 26 HB 2065 - Wasson
- 27 HB 2081 - Dougherty
- 28 HCS HB 1611 - Dixon
- 29 HB 1677 - Franz
- 30 HCS HB 1807 - Cox
- 31 HB 1881 - Schlottach
- 32 HB 1869 - Wilson (130)
- 33 HB 1946 - Franz
- 34 HCS HB 2104 - Viebrock
- 35 HCS HB 2204 - Ervin
- 36 HB 2226 - Muschany
- 37 HB 1419 - Portwood
- 38 HCS HB 1546 - Schaaf
- 39 HB 1617 - Cunningham (86)
- 40 HB 1706 - Baker (123)
- 41 HCS HB 1707 - Baker (123)
- 42 HB 1710 - Flook
- 43 HB 1784 - Meadows
- 44 HB 1791 - Cooper (155)
- 45 HCS HB 1804, E.C. - Corcoran
- 46 HB 1828 - Sutherland
- 47 HB 1864 - Parson
- 48 HCS HB 1883 - Nance
- 49 HCS HB 1888 - Schoeller
- 50 HCS HB 1893 - Scharnhorst
- 51 HCS HB 1904 - Cox
- 52 HCS HB 1910 - Ervin
- 53 HB 1995 - Schieffer
- 54 HCS HB 2064 - Parson
- 55 HCS HB 2360 - Guest

**SENATE BILLS FOR SECOND READING**

- 1 SS SCS SBs 714, 933, 899 & 758
- 2 SS SCS SB 726
- 3 SCS SB 759
- 4 SCS SB 767
- 5 SB 822
- 6 SCS SB 907
- 7 SCS SB 939
- 8 SB 1116

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 30, (3-13-08, Pages 500-501) - Emery

**HOUSE BILL WITH SENATE AMENDMENT**

SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-THIRD DAY, FRIDAY, MARCH 28, 2008

The House met pursuant to adjournment.

Representative Deeken in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## SECOND READING OF HOUSE BILLS

**HB 2470** through **HB 2497** were read the second time.

## SECOND READING OF SENATE BILLS

**SS SCS SBs 714, 933, 899 & 758, SS SCS SB 726, SCS SB 759, SCS SB 767, SB 822, SCS SB 907, SCS SB 939 and SB 1116** were read the second time.

## INTRODUCTION OF HOUSE JOINT RESOLUTION

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 76**, introduced by Representative Quinn (7), relating to the highways and transportation commission authority to finance, construct, operate, and maintain toll facilities.

## INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

**HB 2498**, introduced by Representatives Quinn (7), Pearce, Sander, Hunter and Munzlinger, relating to reimbursement for certain damage to motor vehicles.

**HB 2499**, introduced by Representative Quinn (7), relating to the fencing of conservation lands.

**HB 2500**, introduced by Representative Smith (14), relating to prescription drug insurance coverage.

The following members' presence was noted: Bruns, Chappelle-Nadal, Day, Grisamore, Jetton, Kingery, Lampe, Loehner, Shoemehl and Silvey.



## **ADJOURNMENT**

On motion of Representative Deeken, the House adjourned until 4:00 p.m., Monday, March 31, 2008.

## **COMMITTEE MEETINGS**

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, April 1, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1712, HB 1870, HB 1962

### **ELECTIONS**

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 5.

Executive session will follow.

Public hearings to be held on: SB 970, SB 978

### **JOINT COMMITTEE ON CORRECTIONS**

Wednesday, April 2, 2008, 9:00 a.m. Hearing Room 3.

Business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON TAX POLICY**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 3.

Discussions on: Earnings tax, future plans for TIF, corporate income tax, review of tax handbook proposals.

### **JUDICIARY**

Tuesday, April 1, 2008, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 1621, HB 1728, HB 1799, HB 2352

### **LOCAL GOVERNMENT**

Wednesday, April 2, 2008, Hearing Room 4 upon morning recess.

Executive session will follow.

Public hearings to be held on: HB 2045, HB 2061, HB 2141, SB 943, SB 896, SB 1002

### **RULES - PURSUANT TO RULE 25(21)(f)**

Monday, March 31, 2008, Hearing Room 6 upon recess or adjournment.

Executive session may follow.

Public hearings to be held on: HCS HJR 49, HB 1517, HB 1923, HCS HB 2112, HCS HBs 1321 & 1695, HB 1339, HCS HB 2106, HCS HB 2117

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: HB 2283

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 1, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 1597, HB 1854

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1764, HB 2278, HB 2330, SB 801

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1866, HB 1747, HB 1794, HB 1954, HB 1961

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, April 1, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session to follow.

Public hearings to be held on: HB 2198, HB 2282, HB 2149, HB 2256, HB 2100

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, March 31, 2008, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Public hearing to be held on: HB 2355

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, April 1, 2008, 12:00 p.m. To Be Announced.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

Public hearing to be held on: HB 2394

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 2, 2008, 12:00 p.m. To Be Announced.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Monday, March 31, 2008, 3:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SB 1066

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, April 2, 2008, 12:00 p.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2091, SB 991

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Tuesday, April 1, 2008, Hearing Room 7 upon evening adjournment.

Executive session to follow.

Public hearing to be held on: HB 2207

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, April 1, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HCR 24, HCR 5, SCS SB 830

**TRANSPORTATION**

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1356, SB 841, SCS SB 760, SCS SBs 753, 728, 906 & 1026, SB 936

**HOUSE CALENDAR**

FORTY-FOURTH DAY, MONDAY, MARCH 31, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 76

**HOUSE BILLS FOR SECOND READING**

HB 2498 through HB 2500

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HB 1773 - Funderburk
- 7 HCS#2 HB 1886 - Scharnhorst
- 8 HCS HB 1393 - Dusenbergl
- 9 HCS HB 1715 - Schad
- 10 HCS HB 1790 - Cooper (155)
- 11 HCS HB 1550 - Stevenson
- 12 HCS HBs 1788 & 1882 - Day
- 13 HCS HB 1802 - Wilson (130)
- 14 HB 1319 - Brown (50)
- 15 HCS HB 1644 - Muschany
- 16 HCS HB 2188 - Pearce
- 17 HCS HB 1929 - Cooper (120)
- 18 HB 1832 - Cooper (120)
- 19 HCS HB 1341 - Ruestman
- 20 HCS HB 1332 - Schaaf

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/26/08)

- 1 HCS HB 1676 - Hoskins
- 2 HCS HB 1783 - Meadows
- 3 HB 1861 - Baker (25)
- 4 HB 1887 - Parson
- 5 HB 1937 - Pearce
- 6 HB 1952 - Loehner
- 7 HB 1956 - Bivins
- 8 HCS HB 2036 - Nance
- 9 HB 2047 - Curls
- 10 HCS HB 2048 - Zimmerman
- 11 HB 2051 - Kelly
- 12 HCS HB 2068 - Kuessner
- 13 HCS HB 2082 - Dougherty
- 14 HB 2157 - Grill
- 15 HCS HB 2206 - Sutherland
- 16 HB 2213 - Kraus
- 17 HB 2224 - Jones (117)
- 18 HB 2233 - Page
- 19 HB 2258 - Pollock

(3/28/08)

HB 1849 - Pratt

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 41 - Cunningham (86)
- 2 HCS HJR 43 - Portwood

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1722 - Wallace
- 2 HCS HB 1326 - Sater

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1490 - Deeken
- 6 HB 1532 - Davis
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1972 - Franz
- 12 HB 1973 - Franz
- 13 HB 1368 - Thomson
- 14 HB 1689 - Wilson (130)
- 15 HB 2055 - Viebrock
- 16 HCS HB 2056 - Viebrock
- 17 HB 1358 - Flook
- 18 HB 1422 - St. Onge
- 19 HB 1469 - Pratt
- 20 HB 1805 - Schaaf
- 21 HB 1983 - Pratt
- 22 HB 1426 - Kraus
- 23 HB 1616 - Ruzicka
- 24 HCS HB 1690 - Wilson (130)
- 25 HCS HBs 1876 & 1877 - Cunningham (86)
- 26 HB 2065 - Wasson
- 27 HB 2081 - Dougherty
- 28 HCS HB 1611 - Dixon
- 29 HB 1677 - Franz
- 30 HCS HB 1807 - Cox
- 31 HB 1881 - Schlottach
- 32 HB 1869 - Wilson (130)
- 33 HB 1946 - Franz
- 34 HCS HB 2104 - Viebrock
- 35 HCS HB 2204 - Ervin
- 36 HB 2226 - Muschany
- 37 HB 1419 - Portwood
- 38 HCS HB 1546 - Schaaf
- 39 HB 1617 - Cunningham (86)
- 40 HB 1706 - Baker (123)
- 41 HCS HB 1707 - Baker (123)
- 42 HB 1710 - Flook
- 43 HB 1784 - Meadows

- 44 HB 1791 - Cooper (155)
- 45 HCS HB 1804, E.C. - Corcoran
- 46 HB 1828 - Sutherland
- 47 HB 1864 - Parson
- 48 HCS HB 1883 - Nance
- 49 HCS HB 1888 - Schoeller
- 50 HCS HB 1893 - Scharnhorst
- 51 HCS HB 1904 - Cox
- 52 HCS HB 1910 - Ervin
- 53 HB 1995 - Schieffer
- 54 HCS HB 2064 - Parson
- 55 HCS HB 2360 - Guest

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 30, (3-13-08, Pages 500-501) - Emery

#### **HOUSE BILL WITH SENATE AMENDMENT**

SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-FOURTH DAY, MONDAY, MARCH 31, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

We give thanks to You, Lord, for You are good; For Your mercy endures forever. We give thanks to Your Holy name and glory in Your praise.

Lord God, as we begin this week, may we not act on our own thoughts and ideas without first taking counsel with You. As we accept Your counsel, without delay, a logical path is made available to us.

We answered Your call to action and immediately recognized our own insufficiency. Our sufficiency comes from You. Direct our steps as we seek to do Your will and finish well what we have begun.

Blessed be You, Lord God, from everlasting even to everlasting.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the forty-second day was approved as printed by the following vote:

AYES: 128

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hoskins	Hubbard	Hughes
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Schoemehl	Self	Shively



Silvey	Skaggs	Smith 14	Smith 150	Spreng
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 010

Daus	Holsman	LeVota	Low 39	Lowe 44
Oxford	Schieffer	Talboy	Vogt	Whorton

PRESENT: 002

Darrough	George
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ABSENT WITH LEAVE: 021

Avery	Baker 25	Bland	Cooper 155	Donnelly
Harris 23	Haywood	Hunter	Johnson	Lembke
Marsh	Roorda	Schneider	Stevenson	Viebrock
Walton	Wasson	Wright-Jones	Young	Zimmerman
Zweifel				

VACANCIES: 002

The Journal of the forty-third day was approved as printed.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1319 through House Resolution No. 1353

### **HOUSE CONCURRENT RESOLUTION**

Representative Oxford, et al., offered House Concurrent Resolution No. 42.

### **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 76** was read the second time.

### **SECOND READING OF HOUSE BILLS**

**HB 2498** through **HB 2500** were read the second time.

Representative Nieves assumed the Chair.

### THIRD READING OF HOUSE BILLS

**HCS HB 1722**, relating to school safety and liability, was taken up by Representative Wallace.

Speaker Jetton assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wallace, **HCS HB 1722** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Baker 25	Bland	Cooper 120	Cooper 155
Donnelly	Harris 23	Haywood	Hughes	Hunter
Johnson	Roorda	Schneider	Stevenson	Viebrock
Walton	Wright-Jones	Young	Zimmerman	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

**HCS HB 1326**, relating to a tax deduction for hybrid vehicles, was taken up by Representative Sater.

On motion of Representative Sater, **HCS HB 1326** was read the third time and passed by the following vote:

AYES: 138

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Deeken
Denison	Dethrow	Dixon	Dougherty	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 005

Day	Dusenberg	Kuessner	Schad	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 25	Bland	Cooper 120	Cooper 155
Donnelly	Harris 23	Haywood	Hughes	Johnson
Roorda	Schneider	Stevenson	Walton	Wright-Jones
Young	Zimmerman	Zweifel		

VACANCIES: 002

Speaker Jetton declared the bill passed.

### PERFECTION OF HOUSE BILLS

**HB 1773**, relating to an exemption for stillborn children, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HB 1773** was ordered perfected and printed by the following vote:

AYES: 135

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Mr Speaker

NOES: 004

Hoskins	Hughes	Skaggs	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Baker 25	Bland	Cooper 120	Corcoran
Donnelly	El-Amin	Harris 23	Hunter	Johnson
Lowe 44	Robinson	Roorda	Salva	Schneider
Stevenson	Sutherland	Walton	Wright-Jones	Young
Zimmerman	Zweifel			

VACANCIES: 002

**HCS HB 1715**, relating to watercraft, was taken up by Representative Schad.

Representative Richard assumed the Chair.

Representative Dethrow offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1715, Section 306.221, Page 18, Line 6, by inserting immediately after said line the following:

"306.228. 1. The commissioner may appoint from within the membership not more than one assistant commissioner, two majors, nine captains, nine lieutenants, and one director of radio, each of whom shall have the same qualifications as the commissioner, and such additional force of sergeants, corporals, [and] patrolmen[, so that the total number of members of the patrol shall not exceed ninety-nine officers and patrolmen and such numbers of] **and** radio personnel as the commissioner deems necessary.

2. In case of a national emergency the commissioner may name additional patrolmen and radio personnel in a number sufficient to replace, temporarily, patrolmen and radio personnel called into military services.

3. Applicants shall not be discriminated against because of race, creed, color, national origin, religion or sex."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Salva raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Richard requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not timely.

On motion of Representative Dethrow, **House Amendment No. 1** was adopted by the following vote:

AYES: 102

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hodges	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Shively	Silvey	Smith 14	Smith 150	St. Onge
Stream	Swinger	Thomson	Tilley	Todd
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Mr Speaker			

NOES: 037

Brown 50	Burnett	Chappelle-Nadal	Curls	Darrough
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 110	Holsman	Hubbard	Hughes
Kratky	LeVota	Low 39	Lowe 44	Meadows
Nasheed	Norr	Oxford	Rucker	Salva
Scavuzzo	Schoemehl	Skaggs	Spreng	Storch
Talboy	Villa	Vogt	Walsh	Whorton
Wildberger	Yaeger			

PRESENT: 001

Haywood

ABSENT WITH LEAVE: 021

Avery	Baker 25	Bland	Cooper 120	Corcoran
Donnelly	Harris 23	Johnson	Marsh	Robinson
Roorda	Schneider	Self	Stevenson	Sutherland
Threlkeld	Walton	Wright-Jones	Young	Zimmerman
Zweifel				

VACANCIES: 002

Representative Dethrow offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1715, Section 306.015, Page 6, Line 27, by inserting immediately after said line the following:

"306.030. 1. The owner of each vessel requiring numbering by this state shall file an application for number with the department of revenue on forms provided by it. The application shall contain a full description of the vessel, factory number or serial number, together with a statement of the applicant's source of title and of any liens or encumbrances on the vessel. For good cause shown the director of revenue may extend the period of time for making such application. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and, if satisfied that the applicant is the lawful owner of such vessel, or otherwise entitled to have the same registered in his or her name, shall thereupon issue an appropriate certificate of title over the director's signature and sealed with the seal of the director's office, procured and used for such purpose, and a certificate of number stating the number awarded to the vessel. The application shall include a provision stating that the applicant will consent to any inspection necessary to determine compliance with the provisions of this chapter and shall be signed by the owner of the vessel and shall be accompanied by the fee specified in subsection 10 of this section. The owner shall paint on or attach to each side of the bow of the vessel the identification number in a manner as may be prescribed by rules and regulations of the division of water safety in order that it may be clearly visible. The number shall be maintained in legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the vessel for which issued, whenever the vessel is in operation. The operator of a vessel in which such certificate of number is not available for inspection by the state water patrol or, if the operator cannot be determined, the person who is the registered owner of the vessel shall be subject to the penalties provided in section 306.210. Vessels owned by the state or a political subdivision shall be registered but no fee shall be assessed for such registration.

2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on or within three feet of the transom or stern a factory number or serial number.

3. The owner of any vessel already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally approved numbering system of another state shall record the number prior to operating the vessel on the waters of this state in excess of the sixty-day reciprocity period provided for in section 306.080. The recordation and payment of registration fee shall be in the manner and pursuant to the procedure required for the award of a number under subsection 1 of this section. No additional or substitute number shall be issued unless the number is a duplicate of an existing Missouri number.

4. In the event that an agency of the United States government shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this chapter by the department of revenue shall be in conformity therewith.

5. All records of the department of revenue made and kept pursuant to this section shall be public records.

6. Every certificate of number awarded pursuant to this chapter shall continue in force and effect for a period of three years unless sooner terminated or discontinued in accordance with the provisions of this chapter. Certificates of number may be renewed by the owner in the same manner provided for in the initial securing of the same or in accordance with the provisions of sections 306.010 to 306.030.

7. The department of revenue shall fix the days and months of the year on which certificates of number due to expire during the calendar year shall lapse and no longer be of any force and effect unless renewed pursuant to this chapter and may stagger such dates in order to distribute the workload.

8. When applying for or renewing a vessel's certificate of number, the owner shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the year in which the renewal is due and which reflects that the vessel being renewed is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

9. When applying for or renewing a certificate of registration for a vessel documented with the United States Coast Guard under section 306.016, owners of vessels shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the renewal is due and which reflects that the vessel is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

10. The fee to accompany each application for a certificate of number is:  
For vessels under 16 feet in length ..... \$25.00  
For vessels at least 16 feet in length but less than 26 feet in length ..... \$55.00  
For vessels at least 26 feet in length but less than 40 feet in length ..... \$100.00  
For vessels at least 40 feet and over ..... \$150.00.

11. The certificate of title and certificate of number issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection.

12. The first two million dollars collected annually under the provisions of this section shall be deposited into the state general revenue fund. All fees collected under the provisions of this section in excess of two million dollars annually shall be deposited in the Missouri state water patrol fund and shall be used exclusively for the Missouri state water patrol.

**13. Notwithstanding the provisions of subsection 10 of this section, vessels at least 16 feet in length but less than 28 feet in length, that are homemade, constructed out of wood, and have a beam of 5 feet or less, shall pay a fee of \$55.00 which shall accompany each application for a certification number.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Frame offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1715, Page 4, Lines 7-8, by deleting the words "**that are homemade, constructed out of wood, and have a beam of 5 feet or less,**".

Representative Frame moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Dethrow, **House Amendment No. 2** was adopted.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Schad, **HCS HB 1715, as amended**, was adopted.

On motion of Representative Schad, **HCS HB 1715, as amended**, was ordered perfected and printed.

**HCS HB 2188**, relating to mortgage fraud, was taken up by Representative Pearce.

**HCS HB 2188** was laid over.



## COMMITTEE REPORTS

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1383**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 1549**, **HB 1771**, **HB 1395** and **HB 2366**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **SB 1066**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 49**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1321 & 1695**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1339**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1517**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1923**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2106**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2112**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2117**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

## **INTRODUCTION OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was read the first time and copies ordered printed:

**HJR 77**, introduced by Representative Ruzicka, relating to the conservation commission.

## **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2501**, introduced by Representative Franz, relating to protecting families and individuals.

**HB 2502**, introduced by Representative Roorda, relating to tax credits for professional athletic teams.

**HB 2503**, introduced by Representative Roorda, relating to canned hunting.

**HB 2504**, introduced by Representative Roorda, relating to the scheduling of controlled substances.

**HB 2505**, introduced by Representative Sutherland, relating to state agency reorganizations.

**HB 2506**, introduced by Representatives Loehner, Schlottach, Schad and Smith (14), relating to a tax credit for AgriMissouri retailers.

**HB 2507**, introduced by Representatives Wildberger and Sander, relating to novelty lighters.

**HB 2508**, introduced by Representatives Ruestman, Yates, Nance, Bruns, Wallace, Emery, Yaeger, Harris (110), Wilson (119) and Moore, relating to grandparents as preferential placement for children.

**HB 2509**, introduced by Representative Schlottach, relating to county office salaries.

**HB 2510**, introduced by Representatives Stevenson, Schad, Wood, Bruns, Roorda and Dusenberg, relating to enhanced penalties for intoxication-related offenses.

**HB 2511**, introduced by Representative Ruzicka, relating to a special license plate.

**HB 2512**, introduced by Representatives Baker (25), Wildberger, Darrough, Curls, Haywood, Aull, George, Schoemehl, Nasheed, Oxford, Lampe, Holsman, Norr, Vogt, Lowe (44) and LeVota, relating to the office of health professions workforce planning.

**HB 2513**, introduced by Representatives Baker (25), George, Rucker, Low (39), Holsman, McClanahan, Oxford, Roorda, Johnson and Talboy, relating to children's health insurance.

**HB 2514**, introduced by Representatives Weter, Wallace, Nance, Wells, Pollock, Denison and Schlottach, relating to motor vehicle dealerships.

**HB 2515**, introduced by Representative Thomson, relating to the procurement of construction by the design-build method by a certain public higher education institution.

**HB 2516**, introduced by Representative Icet, relating to the designation of a memorial highway.

**HB 2517**, introduced by Representative Hoskins, relating to income tax credit for the elderly.

**HB 2518**, introduced by Representatives Hunter and Stevenson, relating to boxing and wrestling.

**HB 2519**, introduced by Representative Portwood, relating to gift certificates and credit memos.

**HB 2520**, introduced by Representative Fallert, relating to the public education employee retirement system.

**HB 2521**, introduced by Representatives Oxford, Low (39), Chappelle-Nadal, Fallert, Walton, Meadows, George, Brown (50), Hughes, Lampe, Norr, Todd, Nasheed, Schoemehl, Zweifel, Kratky, Schieffer, Casey, El-Amin, Scavuzzo, Quinn (9), Donnelly, Zimmerman, Walsh, Baker (25), Wright-Jones, Holsman, LeVota, Wildberger, Harris (23), Rucker, Hodges, Curls, Bland, Frame, Spreng, Komo, Talboy, McClanahan, Haywood, Liese, Johnson, Skaggs, Aull, Swinger, Corcoran, Yaeger, Daus, Page, Vogt, Harris (110), Shively, Roorda and Storch, relating solely to the creation of an earned income tax credit.

**HB 2522**, introduced by Representatives Bivins, Lembke and Scharnhorst, relating to solid waste processing facilities.

**HB 2523**, introduced by Representatives Talboy, Burnett, Oxford, Chappelle-Nadal, Brown (50), Darrough, Yaeger, Kratky, Walsh, Hughes, Holsman, Frame, Page, Low (39), Skaggs, LeVota, Meadows, Vogt, Nasheed, Wildberger, El-Amin, Hubbard, Lowe (44), Corcoran and Daus, relating to the designation of Ceasar E. Chavez day.

**HB 2524**, introduced by Representatives Talboy, Skaggs, Burnett, Oxford, Chappelle-Nadal, Brown (50), Hughes, Holsman, Page, Low (39), LeVota, Vogt, Nasheed, Wildberger, El-Amin, Hubbard and Rucker, relating to guide dogs.

**HB 2525**, introduced by Representatives Pratt and Smith (14), relating to intoxication-related traffic offenses.

**HB 2526**, introduced by Representative Pratt, relating to liquor control.

**HB 2527**, introduced by Representatives Sander, Harris (110), Dixon, Cunningham (86) and Davis, relating to the state's policy of protection of human life.

**HB 2528**, introduced by Representatives Wells, Pollock, Franz, Dethrow, Parson, Fisher, McGhee, Rucker, Denison, Wilson (130), Jones (117) and Fallert, relating to motor fuel taxes.

**HB 2529**, introduced by Representatives Moore, Dethrow, Lipke, Day, Loehner, Schoeller, Faith, Wildberger and Scharnhorst, relating to firearms training requirements.

**HB 2530**, introduced by Representative Cooper (155), to authorize the conveyance of property owned by the state in Camden County to Noel C. Calkin.

**HB 2531**, introduced by Representative Pratt, relating to state contracts for services.

**HB 2532**, introduced by Representative Cooper (155), relating to county assessment funds.

**HB 2533**, introduced by Representatives Schoemehl, McClanahan, Lampe, Hodges, Low (39), Rucker, Liese, Kingery, Thomson, Fares, Haywood and Pearce, relating to an income tax deduction for certain tuition costs.

**HB 2534**, introduced by Representatives Villa, Daus, Nasheed, Oxford and Hubbard, relating to tax increment financing.

**HB 2535**, introduced by Representatives Silvey, Hubbard, McGhee, Hoskins, Jetton, Nasheed, Brown (50), Rucker, Storch, Hughes, Icet, Casey, Pratt, Talboy, Curls, Flook, Jones (89), El-Amin, Burnett, Low (39), Lembke and Dixon, relating to the Missouri juneteenth heritage and jazz festival and memorial.

**HB 2536**, introduced by Representatives Dethrow, Pollock, May, Wells, Sater, Wallace, Denison, Kelly and Icet, relating to the mandatory sale of fuel ethanol-blended gasoline.

### **WITHDRAWAL OF HOUSE BILL**

March 31, 2008

D. Adam Crumbliss  
Chief Clerk and Administrator  
Missouri House of Representatives  
State Capitol  
Jefferson City, MO 65101

Dear Adam:

I am requesting to withdraw **House Bill No. 2476**.

Thank you for your consideration of this matter.

Yours truly,

/s/ Bryan Stevenson  
Representative  
128<sup>th</sup> District

The following members' presence was noted: Bland, Harris (23) and Zimmerman.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, April 1, 2008.

## COMMITTEE MEETINGS

### CONSERVATION AND NATURAL RESOURCES

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 4.  
Executive session only.

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 1, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1712, HB 1870, HB 1962

### ELECTIONS

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 5.  
Executive session will follow.  
Public hearings to be held on: SB 970, SB 978

### HEALTH CARE POLICY

Tuesday, April 1, 2008, 12:00 p.m. Hearing Room 5.  
Executive session.

### JOINT COMMITTEE ON CORRECTIONS

Wednesday, April 2, 2008, 9:00 a.m. Hearing Room 3.  
Business meeting.  
Some portions of the meeting may be closed pursuant to Section 610.021.

### JOINT COMMITTEE ON TAX POLICY

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 3.  
Discussions on: Earnings tax, future plans for TIF, corporate income tax, review of tax handbook proposals.

### JUDICIARY

Tuesday, April 1, 2008, Hearing Room 1 upon morning recess.  
Executive session may follow.  
Public hearings to be held on: HB 1621, HB 1728, HB 1799, HB 2352

### LOCAL GOVERNMENT

Wednesday, April 2, 2008, Hearing Room 4 upon morning recess.  
Executive session will follow.  
Public hearings to be held on: HB 2045, HB 2061, HB 2141, SB 943, SB 896, SB 1002

### SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 4.  
Executive session may follow.  
Public hearing to be held on: HB 2283

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 1, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 1597, HB 1854

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HCR 25, SB 885

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1764, HB 2278, HB 2330, SB 801

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 1, 2008, 8:15 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1866, HB 1747, HB 1794, HB 1954, HB 1961

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, April 1, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session to follow.

Public hearings to be held on: HB 2198, HB 2282, HB 2149, HB 2256, HB 2100

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Tuesday, April 1, 2008, 12:00 p.m. Hearing Room 4.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. CORRECTED NOTICE.

Public hearing to be held on: HB 2394

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 2, 2008, 12:00 p.m. To be announced.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri.

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 2430

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, April 2, 2008, Hearing Room 1 upon morning recess.

Executive session may follow. CORRECTED NOTICE.

Public hearings to be held on: HB 2091, SB 991

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Tuesday, April 1, 2008, Hearing Room 7 upon evening adjournment.

Executive session to follow.

Public hearing to be held on: HB 2207

**SPECIAL COMMITTEE ON VETERANS**

Tuesday, April 1, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED.

Public hearings to be held on: HCR 24, SCS SB 830

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, April 2, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED.

Public hearings to be held on: SCS SB 901, HB 2429

**TRANSPORTATION**

Tuesday, April 1, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1356, SB 841, SCS SB 760,

SCS SBs 753, 728, 906 & 1026, SB 936

**HOUSE CALENDAR**

FORTY-FIFTH DAY, TUESDAY, APRIL 1, 2008

**HOUSE JOINT RESOLUTION FOR SECOND READING**

HJR 77

**HOUSE BILLS FOR SECOND READING**

HB 2501 through HB 2536

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HB 1393 - Dusenbergl
- 8 HCS HB 1790 - Cooper (155)
- 9 HCS HB 1550 - Stevenson
- 10 HCS HBs 1788 & 1882 - Day
- 11 HCS HB 1802 - Wilson (130)
- 12 HB 1319 - Brown (50)
- 13 HCS HB 1644 - Muschany
- 14 HCS HB 2188 - Pearce
- 15 HCS HB 1929 - Cooper (120)
- 16 HB 1832 - Cooper (120)
- 17 HCS HB 1341 - Ruestman
- 18 HCS HB 1332 - Schaaf
- 19 HB 1716 - Guest

**HOUSE BILL FOR PERFECTION - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR PERFECTION - CONSENT**

(3/26/08)

- 1 HCS HB 1676 - Hoskins
- 2 HCS HB 1783 - Meadows
- 3 HB 1861 - Baker (25)
- 4 HB 1887 - Parson
- 5 HB 1937 - Pearce
- 6 HB 1952 - Loehner
- 7 HB 1956 - Bivins
- 8 HCS HB 2036 - Nance
- 9 HB 2047 - Curls
- 10 HCS HB 2048 - Zimmerman



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- 11     HB 2051 - Kelly
- 12     HCS HB 2068 - Kuessner
- 13     HCS HB 2082 - Dougherty
- 14     HB 2157 - Grill
- 15     HCS HB 2206 - Sutherland
- 16     HB 2213 - Kraus
- 17     HB 2224 - Jones (117)
- 18     HB 2233 - Page
- 19     HB 2258 - Pollock

(3/28/08)

HB 1849 - Pratt

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1     HCS HJR 41 - Cunningham (86)
- 2     HCS HJR 43 - Portwood

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HB 1450 - Roorda
- 2     HB 1416 - Nance
- 3     HB 1824 - Schlottach
- 4     HB 1348 - Portwood
- 5     HB 1490 - Deeken
- 6     HB 1532 - Davis
- 7     HB 1572 - Franz
- 8     HB 1574 - Jones (117)
- 9     HB 1608 - Ervin
- 10    HB 1640 - Schoeller
- 11    HB 1972 - Franz
- 12    HB 1973 - Franz
- 13    HB 1368 - Thomson
- 14    HB 1689 - Wilson (130)
- 15    HB 2055 - Viebrock
- 16    HCS HB 2056 - Viebrock
- 17    HB 1358 - Flook
- 18    HB 1422 - St. Onge
- 19    HB 1469 - Pratt
- 20    HB 1805 - Schaaf
- 21    HB 1983 - Pratt
- 22    HB 1426 - Kraus

- 23 HB 1616 - Ruzicka
- 24 HCS HB 1690 - Wilson (130)
- 25 HCS HBs 1876 & 1877 - Cunningham (86)
- 26 HB 2065 - Wasson
- 27 HB 2081 - Dougherty
- 28 HCS HB 1611 - Dixon
- 29 HB 1677 - Franz
- 30 HCS HB 1807 - Cox
- 31 HB 1881 - Schlottach
- 32 HB 1869 - Wilson (130)
- 33 HB 1946 - Franz
- 34 HCS HB 2104 - Viebrock
- 35 HCS HB 2204 - Ervin
- 36 HB 2226 - Muschany
- 37 HB 1419 - Portwood
- 38 HCS HB 1546 - Schaaf
- 39 HB 1617 - Cunningham (86)
- 40 HB 1706 - Baker (123)
- 41 HCS HB 1707 - Baker (123)
- 42 HB 1710 - Flook
- 43 HB 1784 - Meadows
- 44 HB 1791 - Cooper (155)
- 45 HCS HB 1804, E.C. - Corcoran
- 46 HB 1828 - Sutherland
- 47 HB 1864 - Parson
- 48 HCS HB 1883 - Nance
- 49 HCS HB 1888 - Schoeller
- 50 HCS HB 1893 - Scharnhorst
- 51 HCS HB 1904 - Cox
- 52 HCS HB 1910 - Ervin
- 53 HB 1995 - Schieffer
- 54 HCS HB 2064 - Parson
- 55 HCS HB 2360 - Guest

## **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 30, (3-13-08, Pages 500-501) - Emery

**HOUSE BILL WITH SENATE AMENDMENT**

SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-FIFTH DAY, TUESDAY, APRIL 1, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend Frank Bussmann, St. Peter Church, Jefferson City, Missouri.

Creator God,  
Give us a heart for simple things:  
Love and laughter, bread and wine, tales and dreams.  
Fill our lives with growing hope!  
Give us faith to go forward with courage,  
Not knowing fully where we are going but sure that Your hand is  
leading us and Your love supporting us.  
Make us a people of justice whose song is Alleluia!  
We make this prayer in the name of the one who is able to do  
everything for us. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mark Justice Long, Logen Hull, Trenton Hughes, Kelsea Anderson, Atean Catanzaro, Abby Carey, Will Hebrank, Dominic Palombo, Angelica Pecha and Nikki Sherwood.

The Journal of the forty-fourth day was approved as printed.

## **SPECIAL RECOGNITION**

Nick Smart, a student at Southwest Baptist University, was introduced by Representative Ruzicka and recognized for his outstanding personal, academic and athletic achievements.

## **SECOND READING OF HOUSE JOINT RESOLUTION**

**HJR 77** was read the second time.

## **SECOND READING OF HOUSE BILLS**

**HB 2501** through **HB 2536** were read the second time.

**PERFECTION OF HOUSE BILL - FEDERAL MANDATE**

**HCS HB 2041**, relating to confidential employment information, was taken up by Representative Fisher.

On motion of Representative Fisher, **HCS HB 2041** was adopted.

On motion of Representative Fisher, **HCS HB 2041** was ordered perfected and printed by the following vote:

AYES: 140

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hughes	Ice	Johnson
Jones 89	Jones 117	Kasten	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wells	Weter
Whorton	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 25	Bland	Cooper 120	Donnelly	El-Amin
Harris 23	Hoskins	Hubbard	Hunter	Kelly
Lembke	Moore	Rucker	Schneider	Self
Walton	Wasson	Wildberger	Wilson 119	Wright-Jones
Young				

VACANCIES: 002

### THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 43**, relating to a real property tax revenue limitation, was taken up by Representative Portwood.

On motion of Representative Portwood, **HCS HJR 43** was read the third time and passed by the following vote:

AYES: 133

Avery	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Liese	Lipke
Loehner	Low 39	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 019

Aull	Chappelle-Nadal	Daus	Hodges	Holsman
Kuessner	Lampe	LeVota	Lowe 44	McClanahan
Nasheed	Oxford	Quinn 9	Roorda	Rucker
Talboy	Todd	Wallace	Whorton	

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 25	Donnelly	Harris 23	Hoskins	Lembke
Self	Wilson 119	Wright-Jones	Young	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 2188**, relating to mortgage fraud, was taken up by Representative Pearce.

Representative Nieves assumed the Chair.

On motion of Representative Pearce, **HCS HB 2188** was adopted.

On motion of Representative Pearce, **HCS HB 2188** was ordered perfected and printed.

**HB 1319**, relating to a credit for school student employers, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HB 1319** was ordered perfected and printed.

**HCS HB 1341**, relating to swimming pool liability, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **HCS HB 1341** was adopted.

On motion of Representative Ruestman, **HCS HB 1341** was ordered perfected and printed.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### **HOUSE RESOLUTIONS**

Representative Low (39), et al., offered House Resolution No. 1414.

Representative Emery, et al., offered House Resolution No. 1429.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1354 through House Resolution No. 1413

House Resolution No. 1415 through House Resolution No. 1428

### **HOUSE CONCURRENT RESOLUTIONS**

Representative Funderburk, et al., offered House Concurrent Resolution No. 43.

Representative Dixon, et al., offered House Concurrent Resolution No. 44.

Representative Darrough, et al., offered House Concurrent Resolution No. 46.

Representative Witte, et al., offered House Concurrent Resolution No. 47.

Representative Storch, et al., offered House Concurrent Resolution No. 48.

## HOUSE BILL WITH SENATE AMENDMENT

**SCS HCS HB 2014**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2014** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Burnett made a substitute motion that the House refuse to adopt **SCS HCS HB 2014** and request the Senate to recede from its position and, failing to do so, grant the House a conference and bind the House conferees to the Senate position on the Medicaid cuts.

Representative Icet moved to amend the substitute motion by striking the word “cuts” and inserting in lieu thereof the word “expansion”.

Which motion was adopted by the following vote:

AYES: 090

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 054

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Curls	Darrough	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 110
Hodges	Holsman	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000



ABSENT WITH LEAVE: 017

Avery	Baker 25	Chappelle-Nadal	Corcoran	Daus
Harris 23	Haywood	Lowe 44	Marsh	McGhee
Meadows	Salva	Self	Skaggs	Wilson 119
Young	Zweifel			

VACANCIES: 002

Representative Burnett moved that the House refuse to adopt **SCS HCS HB 2014** and request the Senate to recede from its position and, failing to do so, grant the House a conference and bind the House conferees to the Senate position on the Medicaid expansion.

Which motion was defeated by the following vote:

AYES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Darrough	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nance	Nolte	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Smith 150	Spreng	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

NOES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nasheed	Nieves	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Silvey	Smith 14
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Chappelle-Nadal	Corcoran	Daus	Harris 23
LeVota	Marsh	Meadows	Self	Skaggs
Wilson 119	Young	Zweifel		

VACANCIES: 002

Representative Icet again moved that the House refuse to adopt **SCS HCS HB 2014** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted by the following vote:

AYES: 091

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Haywood	Hobbs
Hoskins	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Darrough	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 110	Hodges	Holsman	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Chappelle-Nadal	Corcoran	Daus	Harris 23
Marsh	Meadows	Self	Skaggs	Young
Zweifel				

VACANCIES: 002

## PERFECTION OF HOUSE BILL

**HCS HB 1393**, relating to motorcycle helmets, was taken up by Representative Dusenberg.

Representative Schaaf offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1393, Section 302.020, Page 2, Line 21, by deleting the words "who is under twenty-one years of age"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muschany offered **House Amendment No. 1 to House Amendment No. 1**.

Representative Nieves resumed the Chair.

**House Amendment No. 1 to House Amendment No. 1** was withdrawn.

Representative Schaaf moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 036

Baker 25	Bivins	Brown 50	Cooper 155	Cunningham 86
Curls	Darrough	Denison	Faith	Funderburk
Grisamore	Kasten	Lowe 44	May	Meiners
Onder	Oxford	Page	Pollock	Rucker
Sater	Schaaf	Scharnhorst	Schlottach	Schneider
Schoemehl	Smith 14	St. Onge	Storch	Stream
Threlkeld	Wells	Weter	Whorton	Yaeger
Zimmerman				

NOES: 110

Aull	Baker 123	Bland	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Cooper 120
Corcoran	Cox	Cunningham 145	Davis	Day
Deeken	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Fallert	Fisher
Flook	Frame	Franz	George	Grill
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Icet	Johnson
Jones 89	Jones 117	Kelly	Kingery	Komo

Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Parkinson	Parson	Pearce	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Ruestman	Ruzicka	Salva	Sander	Scavuzzo
Schad	Schieffer	Schoeller	Shively	Silvey
Smith 150	Spreng	Stevenson	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Mr Speaker

PRESENT: 001

Fares

ABSENT WITH LEAVE: 014

Avery	Chappelle-Nadal	Daus	Donnelly	Harris 23
Hughes	Hunter	Meadows	Portwood	Robinson
Self	Skaggs	Young	Zweifel	

VACANCIES: 002

Representative Brown (30) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1393, Section 302.020, Page 2, Lines 17 through 21, by deleting all of said lines and inserting in lieu thereof the following:

"2. Every person **who is under twenty-one years of age** operating or riding as a"; and

Further amend said section, Page 2, Line 26, by deleting "[3.] **4.**" and inserting in lieu thereof the following, "3."; and

Further amend said section, Line 35, by inserting after all of said line the following:

"**4. The provisions of this section shall expire August 28, 2013.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Franz offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1393, Page 1, Lines 8-9, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Franz, **House Amendment No. 1 to House Amendment No. 2** was adopted by the following vote:

AYES: 087

Aull	Baker 123	Bringer	Brown 30	Bruns
Cooper 120	Cox	Cunningham 145	Davis	Day
Deeken	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Fallert	Fisher	Flook
Frame	Franz	Grill	Guest	Harris 110
Hobbs	Holsman	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kraus
Kuessner	Lembke	LeVota	Lipke	Loehner
Low 39	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Ruestman	Ruzicka	Scavuzzo
Schad	Schieffer	Schoeller	Shively	Silvey
Smith 150	Stevenson	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Mr Speaker			

NOES: 061

Baker 25	Bivins	Bland	Brandom	Brown 50
Casey	Cooper 155	Corcoran	Cunningham 86	Curls
Darrough	Denison	El-Amin	Faith	Fares
Funderburk	George	Grisamore	Haywood	Hodges
Hoskins	Hubbard	Johnson	Kasten	Kratky
Lampe	Liese	Lowe 44	Marsh	May
McClanahan	Meiners	Nasheed	Norr	Onder
Oxford	Page	Pollock	Robb	Roorda
Rucker	Sander	Sater	Schaaf	Scharnhorst
Schlottach	Schneider	Schoemehl	Smith 14	Spreng
St. Onge	Storch	Stream	Threlkeld	Walsh
Walton	Wells	Weter	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Burnett	Chappelle-Nadal	Daus	Donnelly
Harris 23	Hughes	Robinson	Salva	Self
Skaggs	Young	Zweifel		

VACANCIES: 002

On motion of Representative Brown (30), **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 087

Aull	Baker 123	Bringer	Brown 30	Bruns
Cox	Cunningham 145	Davis	Day	Deeken
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Fallert	Fisher	Flook	Frame
Franz	Grill	Guest	Harris 110	Hobbs
Holsman	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lembke	LeVota
Lipke	Loehner	Low 39	Marsh	McGhee
Moore	Munzlinger	Nance	Nieves	Nolte
Parkinson	Parson	Pearce	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Ruestman	Ruzicka
Sander	Schad	Schieffer	Schoeller	Shively
Silvey	Smith 150	Stevenson	Sutherland	Swinger
Talboy	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wasson	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Mr Speaker			

NOES: 056

Baker 25	Bivins	Bland	Brandom	Brown 50
Casey	Cooper 155	Corcoran	Curls	Darrough
Denison	El-Amin	Faith	Fares	Funderburk
George	Grisamore	Haywood	Hodges	Hoskins
Johnson	Lampe	Liese	Lowe 44	May
McClanahan	Meadows	Meiners	Nasheed	Norr
Onder	Oxford	Page	Pollock	Robb
Roorda	Rucker	Sater	Schaaf	Scharnhorst
Schlottach	Schneider	Schoemehl	Smith 14	Spreng
St. Onge	Storch	Stream	Threlkeld	Walsh
Walton	Wells	Weter	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Burnett	Chappelle-Nadal	Cooper 120	Cunningham 86
Daus	Donnelly	Harris 23	Hughes	Muschany
Robinson	Salva	Scavuzzo	Self	Skaggs
Wallace	Young	Zweifel		

VACANCIES: 002

Representative Smith (14) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1393, Section 302.020, Page 2, Line 25, by inserting the following at the end of said line:

**"After August 28, 2008, no state money shall be used to pay for the medical care of injuries incurred by riders operating or riding on a motorcycle or motortricycle in accidents in which they were not wearing protective headgear.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Darrough	Dougherty
Fallert	Frame	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Chappelle-Nadal	Corcoran	Daus	Donnelly
El-Amin	Harris 23	Low 39	Portwood	Self
Skaggs	Young	Zweifel		

VACANCIES: 002

Representative Smith (14) moved that **House Amendment No. 3** be adopted.

Which motion was defeated by the following vote:

AYES: 029

Bivins	Cunningham 86	Darrough	Dixon	Faith
Flook	Funderburk	George	Jones 89	Kasten
Kratky	May	Muschany	Pollock	Ruestman
Sander	Schaaf	Schlottach	Schneider	Schoeller
Schoemehl	Silvey	Smith 14	Spreng	Stevenson
St. Onge	Threlkeld	Wells	Weter	

NOES: 117

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Curls	Davis	Day	Deeken	Denison
Dethrow	Dougherty	Dusenberg	Emery	Ervin
Fallert	Fares	Fisher	Frame	Franz
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Icet	Johnson	Jones 117	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	Marsh	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruzicka	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Shively	Smith 150
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Chappelle-Nadal	Corcoran	Daus	Donnelly
El-Amin	Harris 23	Hunter	Low 39	Moore
Salva	Self	Skaggs	Young	Zweifel

VACANCIES: 002



Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Darrough	Dougherty
El-Amin	Fallert	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Chappelle-Nadal	Corcoran	Daus	Donnelly
Harris 23	Low 39	Salva	Self	Skaggs
Young	Zweifel			

VACANCIES: 002

On motion of Representative Dusenberg, **HCS HB 1393, as amended**, was adopted.

On motion of Representative Dusenberg, **HCS HB 1393, as amended**, was ordered perfected and printed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2014** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 2014**: Senators Nodler, Mayer, Purgason, Bray and Green.

Speaker Jetton assumed the Chair.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**SCS HCS HB 2014**: Representatives Icet, Robb, Stevenson, Storch and Curls

Representative Nieves resumed the Chair.

### PERFECTION OF HOUSE BILLS

**HB 1832**, relating to the Missouri County Planning Act, was taken up by Representative Cooper (120).

Representative Bringer offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Bill No. 1832, Page 13, Section 64.1024, Line 43, by inserting after said line:

"(7) **Sexually oriented businesses**."

On motion of Representative Bringer, **House Amendment No. 1** was adopted.

On motion of Representative Cooper (120), **HB 1832, as amended**, was ordered perfected and printed.

**HCS HB 1929**, relating to excursion gambling boat licensees, was taken up by Representative Cooper (120).

**HCS HB 1929** was laid over.

Speaker Pro Tem Pratt resumed the Chair.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 70**, relating to limits on state appropriations, was taken up by Representative Icet.

**HCS HJR 70** was laid over.

### REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**SCS SB 759** - Transportation

**SB 958** - Special Committee on Utilities

### COMMITTEE REPORTS

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HB 1831** and **HB 1472**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 2159**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 2191**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1974**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 753, 728, 906 & 1026**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SB 760**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 841**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **ADVANCEMENT OF HOUSE CONSENT BILLS**

Pursuant to Rule 45(b), the following bills, having remained on the House Consent Calendar for Perfection for five legislative days, were ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HCS HB 1676, HCS HB 1783, HB 1861, HB 1887, HB 1937, HB 1952, HB 1956, HCS HB 2036, HB 2047, HCS HB 2048, HB 2051, HCS HB 2068, HCS HB 2082, HB 2157, HCS HB 2206, HB 2213, HB 2224, HB 2233 and HB 2258.**

### **INTRODUCTION OF HOUSE CONCURRENT RESOLUTION**

The following House Concurrent Resolution was read the first time and copies ordered printed:

**HCR 45**, introduced by Representatives Low (39), Oxford, Talboy, Hughes, Holsman, Chappelle-Nadal, Skaggs, McClanahan, Schoemehl, Darrough, Hodges, Lampe, Harris (110), Yaeger, Bringer, LeVota, Curls, Nasheed and El-Amin, relating to the Missouri child poverty council.

### **INTRODUCTION OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were read the first time and copies ordered printed:

**HJR 78**, introduced by Representatives Baker (25), Lampe, Low (39), McClanahan and Haywood, relating to bonding for higher education projects.

**HJR 79**, introduced by Representatives Davis, Portwood, Parkinson, Scharnhorst, Bivins and Funderburk, relating to real property taxation.

**HJR 80**, introduced by Representatives Meadows and Roorda, relating to eminent domain.

### **INTRODUCTION OF HOUSE BILLS**

The following House Bills were read the first time and copies ordered printed:

**HB 2537**, introduced by Representatives Robb, Sater and Cunningham (86), relating to school superintendents.

**HB 2538**, introduced by Representative Sater, relating to the designation of a state scenic highway.

**HB 2539**, introduced by Representative Wasson, relating to fire sprinkler installers and contractors.

**HB 2540**, introduced by Representatives Brandom, Smith (150), Weter, Kasten, Wright, Faith, Kingery and Cooper (155), relating to surrogate health care decisions.

**HB 2541**, introduced by Representatives Hughes, Chappelle-Nadal, Curls, Oxford, Talboy, Page, Holsman, LeVota, Low (39), Hubbard, El-Amin, Skaggs, Villa, Meadows, Frame, Meiners, Lowe (44), Brown (50), Storch, Nasheed and Rucker, relating to voter caging.

**HB 2542**, introduced by Representatives Fares, Stream, Thomson, Schoemehl, Lampe, Baker (123), Faith, Kingery, Cunningham (86) and Moore, relating to school accountability report cards.

**HB 2543**, introduced by Representatives El-Amin, Hubbard and Nasheed, relating to scrap metal transactions.

**HB 2544**, introduced by Representative Schneider, relating to political subdivision fees.

**HB 2545**, introduced by Representatives Parson and Jones (117), relating to sales taxes on certain property.

**HB 2546**, introduced by Representative Tilley, relating to firearms.

**HB 2547**, introduced by Representatives Flook, Ervin, Robb, Baker (123), Scharnhorst, McGhee, Smith (150), Brown (30), Silvey, Bivins, Jones (89), Hunter, Brown (50), Yaeger, Harris (110), Nance, Corcoran, Dougherty, Tilley, Cunningham (86) and St. Onge, relating to the use of school funds.

**HB 2548**, introduced by Representatives Hubbard, Chappelle-Nadal, El-Amin and Nasheed, relating to Medicare Part D drug benefit gap coverage.

**HB 2549**, introduced by Representatives Hubbard, Chappelle-Nadal, El-Amin and Nasheed, relating to prostate cancer imaging technologies.

**HB 2550**, introduced by Representative Schneider, relating to political subdivisions.

**HB 2551**, introduced by Representatives Kuessner, Scavazzo, Komo, Darrough and Shively, relating to inmate charges for medical treatment at correctional facilities.

**HB 2552**, introduced by Representative Muschany, for the sole purpose of repealing obsolete and ineffective statutes and portions of statutes.

**HB 2553**, introduced by Representatives Stream, Fisher, Schaaf, Thomson, Grisamore, Quinn (7), Schoeller, Cox, Ruzicka, Kasten, Funderburk, Scharnhorst, Schad, El-Amin, Wallace and Schneider, relating to school improvement.

**HB 2554**, introduced by Representative Cooper (155), relating to teacher academic freedom to teach scientific evidence regarding evolution.

**HB 2555**, introduced by Representatives Pearce, Flook, Grisamore, Wilson (119), Scharnhorst and Moore, relating to the entrepreneurial development council.

**HB 2556**, introduced by Representatives Hubbard, El-Amin and Nasheed, relating to a tax credit for certain taxpayers who participate in the child initiative program.

**HB 2557**, introduced by Representative Chappelle-Nadal, relating to school year length.

**HB 2558**, introduced by Representative Lampe, relating to the Missouri sunshine law.

**HB 2559**, introduced by Representative McGhee, relating to services for adults with mental retardation and developmental disabilities.

**HB 2560**, introduced by Representative Aull, relating to flood insurance.

**HB 2561**, introduced by Representatives Page and Lampe, relating to radiology assistants.

**HB 2562**, introduced by Representative Darrough, relating to employment agreements.

**HB 2563**, introduced by Representatives Harris (23), McGhee, Page, Darrough, Yates and Flook, relating to sexual offenders.

**HB 2564**, introduced by Representatives Parkinson, Nolte, Faith, Cox, Scharnhorst, Onder and Funderburk, relating to the Missouri taxpayer and citizen protection act.

**HB 2565**, introduced by Representatives Frame, Harris (110), Nasheed, Meadows, LeVota, Oxford and Hughes, relating to family medical leave.

**HB 2566**, introduced by Representatives Hughes, Hoskins, Meiners and Brown (50), relating to school improvement districts.

**HB 2567**, introduced by Representatives Silvey, Bruns, Kingery, Day, Wells, Dusenberg, May, Brown (30) Threlkeld, Ervin, Funderburk, Icet, Nieves, Portwood, Flook, Bivins, Moore, Grisamore, Donnelly, Thomson, Nolte, Fisher, Witte, Schaaf, Wright, Scharnhorst, St. Onge, Pratt, Faith, Cox, Scavuzzo, Brown (50), Fallert, Wildberger, Lembke, Deeken, Stevenson, Parson, Onder, Richard, Baker (123), Schoeller, Nance, Smith (150), Schneider, Kelly, Robb, Schad, Franz, Stream, Sander, Dethrow, Cunningham (145), Wood, Dixon, Jones (117), Ruestman, Munzlinger, Parkinson and Lampe, relating to intoxication-related traffic offenses.

**HB 2568**, introduced by Representatives Funderburk and Smith (14), relating to personal care services for certain disabled adults.

**HB 2569**, introduced by Representatives Robb, Icet, Lembke, Schlottach and Stream, relating to tax credits.

**HB 2570**, introduced by Representatives Robb, Icet, Lembke, Schlottach and Stream, relating to tax expenditure budgets.

**HB 2571**, introduced by Representatives Robb, Icet, Lembke, Schlottach, Hunter and Stream, relating to tax credits.

**HB 2572**, introduced by Representative Skaggs, relating to a sales tax for bicycle and pedestrian programs.

**HB 2573**, introduced by Representative Parkinson, relating to property taxation.

**HB 2574**, introduced by Representatives Scharnhorst and Bivins, relating to tax credits for energy producers.

**HB 2575**, introduced by Representative Pratt, relating to environmentally sustainable buildings.

**HB 2576**, introduced by Representative Cooper (120), relating to reports to school districts of property located within school district boundaries.

**HB 2577**, introduced by Representative El-Amin, relating to fees for violations of housing codes.

**HB 2578**, introduced by Representative Portwood, relating to Missouri personal exemptions.

**HB 2579**, introduced by Representative Cunningham (86), relating to mandated reporters.

**HB 2580**, introduced by Representatives Parkinson, Nieves, Funderburk, Muschany, Cunningham (86), Faith, Smith (150), Nolte, Robb, Onder, Franz, Pratt, Tilley, Davis, Silvey and Jetton, relating to an income tax deduction for school supplies.

**HB 2581**, introduced by Representative Page, relating to the joint committee on health care policy and planning.

**HB 2582**, introduced by Representatives Grisamore, Stream, Scharnhorst, Wallace, Moore, McGhee and Dougherty, relating to scholarships for special education teachers.

**HB 2583**, introduced by Representatives Grisamore, Kraus and Dougherty, relating to an income tax deduction for certain funeral costs.

**HB 2584**, introduced by Representative Smith (14), relating to the Global War on Terrorism Medallion Program.

**HB 2585**, introduced by Representatives Donnelly, Bringer, McClanahan, Curls, Nasheed, Meiners, LeVota, Storch, Page, Witte, Swinger, Hughes, Darrough, Lampe, Harris (110), Yaeger, Kuessner, Burnett, Low (39), Talboy, Zimmerman, Fallert, El-Amin, Spreng, Schoemehl and Oxford, relating to kidney donation.

**HB 2586**, introduced by Representatives Donnelly, Curls, Nasheed, Meiners, Villa, LeVota, Storch, Page, Witte, Swinger, Darrough, Hughes, Yaeger, Harris (110), Lampe, Kuessner, Burnett, Low (39), Talboy, Zimmerman, Fallert, Spreng, Zweifel and Schoemehl, relating to mortgage brokers.

**HB 2587**, introduced by Representatives Wright-Jones, Oxford, Haywood, Hughes and Bland, relating to public utilities.

**HB 2588**, introduced by Representatives Wright-Jones, Oxford, Haywood, Hughes and Bland, relating to motor vehicle inspections.

**HB 2589**, introduced by Representatives Wright-Jones and Haywood, relating to school board membership.

**HB 2590**, introduced by Representatives Moore, Kelly, Deeken, Silvey, Weter, Wallace, Thomson, Grisamore, Nolte, Faith, Brown (50), Kratky, Wildberger, Robb, Schlottach, Smith (150) and Jones (89), relating to prohibiting the waiver of sovereign immunity for inmates.

**HB 2591**, introduced by Representative Dusenbergs, relating to an income tax exemption for certain veterans.

**HB 2592**, introduced by Representative Portwood, relating to political activities of emergency personnel.

**HB 2593**, introduced by Representatives Bland, Curls, Talboy, Haywood, Holsman, Walton and Rucker, relating to alternative education programs.

**HB 2594**, introduced by Representative Meadows, relating to preneed funeral contracts.

**HB 2595**, introduced by Representatives Schad, Jones (117), McGhee and Bivins, relating to mines.

**HB 2596**, introduced by Representative Johnson, relating to the make-up of school days lost due to inclement weather.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 790**, entitled:

An act to amend chapter 650, RSMo, by adding thereto one new section relating to crime laboratories.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 797**, entitled:

An act to repeal sections 115.315 and 115.327, RSMo, and to enact in lieu thereof two new sections relating to third party candidates.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 805**, entitled:

An act to repeal section 137.016, RSMo, and to enact in lieu thereof one new section relating to the assessment and levy of property taxes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 863**, entitled:

An act to repeal section 166.435, RSMo, and to enact in lieu thereof one new section relating to the income tax deduction for contributions to the Missouri higher education savings program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 956**, entitled:

An act to repeal sections 247.060 and 247.160, RSMo, and to enact in lieu thereof two new sections relating to public water supply districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 967**, entitled:

An act to repeal section 173.387, RSMo, and to enact in lieu thereof one new section relating to federally guaranteed student loans, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 979**, entitled:

An act to repeal sections 135.090 and 144.270, RSMo, and to enact in lieu thereof two new sections relating to taxation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 980**, entitled:

An act to repeal sections 86.1180, 86.1200, and 86.1560, RSMo, and section 86.1230 as enacted by senate bill no. 172, ninety-fourth general assembly, first regular session, and to enact in lieu thereof three new sections relating to the police retirement system and the civilian employees' retirement system of the police department of Kansas City.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1016**, entitled:

An act to repeal section 537.675, RSMo, and to enact in lieu thereof one new section relating to distribution of a portion of the tort victims' compensation fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1033**, entitled:

An act to repeal section 49.292, RSMo, relating to transfers of real property to counties.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1044**, entitled:

An act to repeal section 190.094, RSMo, and to enact in lieu thereof one new section relating to ambulance staffing.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1073**, entitled:

An act to amend chapter 144, RSMo, by adding thereto one new section relating to a sales and use tax exemption for the sale of certain defense articles sold to foreign governments.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1089**, entitled:

An act to amend chapter 94, RSMo, by adding thereto one new section relating to the imposition of a transient guest tax by certain cities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1131**, entitled:

An act to repeal sections 94.577, 94.600, and 94.605, RSMo, and to enact in lieu thereof three new sections relating to transportation sales taxes.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1135**, entitled:

An act to repeal section 88.917, RSMo, and to enact in lieu thereof one new section relating to street grading in certain cities.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1140**, entitled:

An act to repeal section 37.005, RSMo, and to enact in lieu thereof one new section relating to the administrative trust fund, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1141**, entitled:

An act to repeal sections 26.215, 26.220, 26.225, 27.090, 27.095, 27.100, 28.300, 28.305, 28.310, 29.400, 29.405, 29.410, 30.500, 30.505, and 30.510, RSMo, and to enact in lieu thereof fifteen new sections relating to the transition period for statewide elected officials.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1149**, entitled:

An act to repeal section 321.210, RSMo, and to enact in lieu thereof one new section relating to fire protection district board of director candidacy.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1151**, entitled:

An act to repeal section 355.151, RSMo, and to enact in lieu thereof one new section relating to corporate name reservation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1175**, entitled:

An act to repeal section 215.160, RSMo, and to enact in lieu thereof one new section relating to bonds and notes held by the Missouri housing development commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1177**, entitled:

An act to repeal section 632.005, RSMo, and to enact in lieu thereof one new section relating to licensed professional counselors.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1187**, entitled:

An act to repeal section 306.228, RSMo, and to enact in lieu thereof one new section relating to the number of uniformed members of the Missouri state water patrol.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1190**, entitled:

An act to repeal section 620.010, RSMo, and to enact in lieu thereof one new section relating to the division of professional registration.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1288**, entitled:

An act to repeal section 105.473, RSMo, and to enact in lieu thereof one new section relating to lobbyist reporting requirements for expenditures for committees of the house and senate.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Harris (23).

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 2, 2008.

## **COMMITTEE MEETINGS**

### **ADMINISTRATION AND ACCOUNTS**

Wednesday, April 2, 2008, Hearing Room 3 upon morning recess.

Re: Legislative office space. CORRECTED NOTICE.

### **AGRICULTURE POLICY**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SCS SB 942

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, April 3, 2008, 9:30 a.m. Senate Committee Room 2.

Executive session may follow. AMENDED

Public hearing to be held on: SCS HCS HB 2014

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 4.

Executive session only.

### **FISCAL REVIEW**

Thursday, April 3, 2008, 9:00 a.m. Hearing Room 1.

Committee will hear any bills presented to this committee.

### **JOINT COMMITTEE ON CORRECTIONS**

Wednesday, April 2, 2008, 9:00 a.m. Hearing Room 3.

Business meeting.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON TAX POLICY**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 3.

Discussions on: Earnings tax, future plans for TIF, corporate income tax, review of tax handbook proposals.

### **LOCAL GOVERNMENT**

Wednesday, April 2, 2008, Hearing Room 4 upon morning recess.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2045, HB 2141, HB 2269, SB 943, SB 896, SB 1002, SB 820

**RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, April 2, 2008, 1:30 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCS HB 1383, HCS HB 1504, HCS HB 1590, HCS HBs 1549, 1771, 1395 & 2366, HB 1372, HCS HJR 71, SB 1066

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HCR 25, SB 885

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, April 2, 2008, Hearing Room 5 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2295, HB 1685, SCS SB 951, SB 999

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 2, 2008, 12:00 p.m. To Be Announced.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. CANCELLED

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED

Public hearings to be held on: HB 2413, HB 2398

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1701, HB 2067, HB 2268, SCS SB 1009

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, April 3, 2008, 8:30 a.m. Hearing Room 4.

Executive session.

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 2, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 2430

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, April 2, 2008, Hearing Room 1 upon morning recess.

Executive session may follow. CORRECTED NOTICE.

Public hearings to be held on: HB 2091, SB 991

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, April 2, 2008, 12:00 p.m. Hearing Room 7.

Executive session may follow. AMENDED

Public hearings to be held on: SCS SB 901, HB 2429

**WAYS AND MEANS**

Thursday, April 3, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 2035, SS SCS SB 711

**HOUSE CALENDAR**

FORTY-SIXTH DAY, WEDNESDAY, APRIL 2, 2008

**HOUSE CONCURRENT RESOLUTION FOR SECOND READING**

HCR 45

**HOUSE JOINT RESOLUTIONS FOR SECOND READING**

HJR 78 through HJR 80

**HOUSE BILLS FOR SECOND READING**

HB 2537 through HB 2596

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HB 1790 - Cooper (155)
- 8 HCS HB 1550 - Stevenson
- 9 HCS HBs 1788 & 1882 - Day
- 10 HCS HB 1802 - Wilson (130)

- 11 HCS HB 1644 - Muschany
- 12 HCS HB 1929 - Cooper (120)
- 13 HCS HB 1332 - Sater
- 14 HB 1716 - Guest
- 15 HCS HB 2321 - Dixon
- 16 HCS HB 1813 - Dougherty
- 17 HB 1981 - Spreng
- 18 HCS HBs 1321 & 1695 - Sutherland

#### **HOUSE BILL FOR PERFECTION - CONSENT**

(3/28/08)

HB 1849 - Pratt

#### **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HCS HJR 41 - Cunningham (86)

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 1773 - Funderburk
- 2 HCS HB 1715 - Schad

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1450 - Roorda
- 2 HB 1416 - Nance
- 3 HB 1824 - Schlottach
- 4 HB 1348 - Portwood
- 5 HB 1490 - Deeken
- 6 HB 1532 - Davis
- 7 HB 1572 - Franz
- 8 HB 1574 - Jones (117)
- 9 HB 1608 - Ervin
- 10 HB 1640 - Schoeller
- 11 HB 1972 - Franz
- 12 HB 1973 - Franz
- 13 HB 1368 - Thomson
- 14 HB 1689 - Wilson (130)
- 15 HB 2055 - Viebrock
- 16 HCS HB 2056 - Viebrock
- 17 HB 1358 - Flook



- 18 HB 1422 - St. Onge
- 19 HB 1469 - Pratt
- 20 HB 1805 - Schaaf
- 21 HB 1983 - Pratt
- 22 HB 1426 - Kraus
- 23 HB 1616 - Ruzicka
- 24 HCS HB 1690 - Wilson (130)
- 25 HCS HBs 1876 & 1877 - Cunningham (86)
- 26 HB 2065 - Wasson
- 27 HB 2081 - Dougherty
- 28 HCS HB 1611 - Dixon
- 29 HB 1677 - Franz
- 30 HCS HB 1807 - Cox
- 31 HB 1881 - Schlottach
- 32 HB 1869 - Wilson (130)
- 33 HB 1946 - Franz
- 34 HCS HB 2104 - Viebrock
- 35 HCS HB 2204 - Ervin
- 36 HB 2226 - Muschany
- 37 HB 1419 - Portwood
- 38 HCS HB 1546 - Schaaf
- 39 HB 1617 - Cunningham (86)
- 40 HB 1706 - Baker (123)
- 41 HCS HB 1707 - Baker (123)
- 42 HB 1710 - Flook
- 43 HB 1784 - Meadows
- 44 HB 1791 - Cooper (155)
- 45 HCS HB 1804, E.C. - Corcoran
- 46 HB 1828 - Sutherland
- 47 HB 1864 - Parson
- 48 HCS HB 1883 - Nance
- 49 HCS HB 1888 - Schoeller
- 50 HCS HB 1893 - Scharnhorst
- 51 HCS HB 1904 - Cox
- 52 HCS HB 1910 - Ervin
- 53 HB 1995 - Schieffer
- 54 HCS HB 2064 - Parson
- 55 HCS HB 2360 - Guest
- 56 HCS HB 1676 - Hoskins
- 57 HCS HB 1783 - Meadows
- 58 HB 1861 - Baker (25)
- 59 HB 1887 - Parson
- 60 HB 1937 - Pearce
- 61 HB 1952 - Loehner
- 62 HB 1956 - Bivins
- 63 HCS HB 2036 - Nance
- 64 HB 2047 - Curls

65 HCS HB 2048 - Zimmerman  
66 HB 2051 - Kelly  
67 HCS HB 2068 - Kuessner  
68 HCS HB 2082 - Dougherty  
69 HB 2157 - Grill  
70 HCS HB 2206 - Sutherland  
71 HB 2213 - Kraus  
72 HB 2224 - Jones (117)  
73 HB 2233 - Page  
74 HB 2258 - Pollock

**SENATE BILLS FOR SECOND READING**

1 SB 790  
2 SB 797  
3 SB 805  
4 SB 863  
5 SB 956  
6 SCS SB 967  
7 SB 979  
8 SB 980  
9 SB 1016  
10 SCS SB 1033  
11 SCS SB 1044  
12 SB 1073  
13 SCS SB 1089  
14 SCS SB 1131  
15 SB 1135  
16 SB 1140  
17 SB 1141  
18 SB 1149  
19 SB 1151  
20 SB 1175  
21 SB 1177  
22 SB 1187  
23 SB 1190  
24 SB 1288

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 30, (3-13-08, Pages 500-501) - Emery

**BILL IN CONFERENCE**

SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-SIXTH DAY, WEDNESDAY, APRIL 2, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are our shield and our defense, to guard us and give us success.

We are mindful that our ways are in Your full view and You examine our every decision. May Your directives be so near and dear to us that when we walk, they will guide us; when we sleep, they will watch over us; when we awake, they will speak to us.

Help us, Lord God, not to over-estimate ourselves or under-estimate others. May our words be truthful, and our actions honorable. Grant us, this day, a heart that manufactures productive thoughts and plans and may we be swift in condemning the false and prompt in praising the good.

Now may You, who give us patience and encouragement, help us to live in complete harmony with each other.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Paton Elizabeth Lamprecht, Mark Thomas Sloan, Christopher James Drier, Isabelle Annemarie Slane, Aedan Clark James, Lucy Isabella Krejci, Gavin Barrett-Hayes and Holland Elizabeth Nash.

The Journal of the forty-fifth day was approved as printed by the following vote:

AYES: 141

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese

Lipke	Loehner	Low 39	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 005

George	Lowe 44	Talboy	Vogt	Whorton
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PRESENT: 001

Darrough

ABSENT WITH LEAVE: 014

Avery	Bland	Brown 50	Corcoran	Daus
El-Amin	Harris 23	Hubbard	Hunter	Johnson
McClanahan	Schneider	Self	Young	

VACANCIES: 002

Speaker Jetton assumed the Chair.

### **SPECIAL RECOGNITION**

Martin T. Rucker, II was introduced by Representative Rucker and recognized as an Outstanding Missourian.

Former Representative Bill Linton and Lois Linton were introduced by Representative Icet and presented a resolution commemorating their Fiftieth wedding anniversary.

The Rock Bridge Bruins High School Girls Basketball Team was introduced by Representative Robb and recognized for attaining the Class 5 State Championship.

### **SECOND READING OF HOUSE CONCURRENT RESOLUTION**

**HCR 45** was read the second time.

**SECOND READING OF HOUSE JOINT RESOLUTIONS**

**HJR 78** through **HJR 80** were read the second time.

**SECOND READING OF HOUSE BILLS**

**HB 2537** through **HB 2596** were read the second time.

**SECOND READING OF SENATE BILLS**

**SB 790, SB 797, SB 805, SB 863, SB 956, SCS SB 967, SB 979, SB 980, SB 1016, SCS SB 1033, SCS SB 1044, SB 1073, SCS SB 1089, SCS SB 1131, SB 1135, SB 1140, SB 1141, SB 1149, SB 1151, SB 1175, SB 1177, SB 1187, SB 1190** and **SB 1288** were read the second time.

**REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 1319** - Fiscal Review (Fiscal Note)

**PERFECTION OF HOUSE BILL**

**HCS HB 1929**, relating to excursion gambling boat licensees, was taken up by Representative Cooper (120).

Representative Bringer offered **House Amendment No. 1**.

Representative Jones (89) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Nance assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany

Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
El-Amin	Fallert	Frame	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Corcoran	Daus	Donnelly	Guest
Harris 23	Self	Viebrock	Young	

VACANCIES: 002

On motion of Representative Cooper (120), **HCS HB 1929** was adopted.

On motion of Representative Cooper (120), **HCS HB 1929** was ordered perfected and printed.

**HCS HB 1790**, relating to heart attack and stroke centers, was taken up by Representative Cooper (155).

Representative Talboy offered **House Amendment No. 1**.

Representative Jones (89) raised a point of order that **House Amendment No. 1** is not germane and goes beyond the scope of the bill.

Representative Nance requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Cooper (155), **HCS HB 1790** was adopted.

On motion of Representative Cooper (155), **HCS HB 1790** was ordered perfected and printed.

### THIRD READING OF HOUSE BILLS - CONSENT

**HB 1348**, relating to the St. Louis Police Commissioners Board, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 1348** was read the third time and passed by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Jones 89	Jones 117
Kasten	Kelly	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 015

Corcoran	Darrough	Daus	Harris 23	Hunter
Johnson	Kingery	Low 39	Meadows	Roorda
Salva	Schneider	Self	Young	Zweifel

VACANCIES: 002

Representative Nance declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**HB 1532**, relating to motorcycle headlamp modulators, was taken up by Representative Davis.

On motion of Representative Davis, **HB 1532** was read the third time and passed by the following vote:

AYES: 114

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 50	Bruns	Casey
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Emery	Ervin	Faith	Fallert
Fares	Fisher	Franz	Funderburk	George
Grill	Grisamore	Guest	Haywood	Hobbs
Hodges	Hoskins	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Kratky	Kraus
Kuessner	Lembke	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Walsh	Walton	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Zweifel	Mr Speaker	

NOES: 028

Bland	Burnett	Chappelle-Nadal	Curls	Dougherty
El-Amin	Frame	Harris 110	Holsman	Hubbard
Hughes	Komo	Lampe	LeVota	Liese
Nasheed	Norr	Robinson	Roorda	Schoemehl
Spreng	Talboy	Villa	Vogt	Whorton
Wildberger	Wright-Jones	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 019

Brown 30	Cooper 120	Corcoran	Darrough	Daus
Dusenberg	Flook	Harris 23	Johnson	Kasten
Low 39	Meadows	Nolte	Salva	Schneider
Self	Wasson	Yates	Young	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### **SPECIAL RECOGNITION**

Joe Edwards was introduced by Representative Storch and recognized as an Outstanding Missourian.

### **THIRD READING OF HOUSE BILLS - CONSENT**

**HCS HB 1888**, relating to a Springfield airport zone annexation, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **HCS HB 1888** was read the third time and passed by the following vote:

AYES: 135

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McGhee	Meiners	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf

Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Whorton	Wildberger	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Brown 50	Burnett	Cooper 120	Cooper 155
Daus	El-Amin	Harris 23	Haywood	Hughes
Hunter	Johnson	Lowe 44	McClanahan	Meadows
Moore	Richard	Rucker	Self	Spreng
Weter	Wilson 119	Wright-Jones	Young	Zweifel
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1574**, relating to the sheriffs' retirement system, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1574** was read the third time and passed by the following vote:

AYES: 135

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Ice	Jones 89	Jones 117
Kasten	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch

Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wells
Whorton	Wildberger	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Brown 50	Cooper 120	Cooper 155	Daus
Flook	Harris 23	Hubbard	Hughes	Hunter
Johnson	Kelly	Lowe 44	Meadows	Moore
Richard	Rucker	Schneider	Self	Spreng
Wasson	Weter	Wilson 119	Young	Zweifel
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1608**, relating to preservation of county documents, was taken up by Representative Ervin.

On motion of Representative Ervin, **HB 1608** was read the third time and passed by the following vote:

AYES: 102

Baker 25	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Hobbs	Hoskins
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kratky	Kraus	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McGhee	Meiners	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Robb	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walton	Wells	Wilson 130	Witte	Wood
Wright 159	Yates			

NOES: 036

Aull	Bland	Burnett	Chappelle-Nadal	Corcoran
Curls	Donnelly	Fallert	George	Harris 110
Haywood	Hodges	Holsman	Hubbard	Komo
Kuessner	Lampe	Low 39	McClanahan	Nasheed
Norr	Quinn 9	Robinson	Roorda	Shively
Spreng	Storch	Talboy	Todd	Vogt
Walsh	Whorton	Wildberger	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Brown 50	Daus	El-Amin	Flook
Harris 23	Hughes	Hunter	Johnson	Lowe 44
Meadows	Moore	Parkinson	Richard	Rucker
Salva	Self	Wasson	Weter	Wilson 119
Young	Zweifel	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1972**, relating to the public school retirement system, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1972** was read the third time and passed by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meiners	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson

St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Mr Speaker			

NOES: 002

Talboy	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Brown 50	Corcoran	Daus	El-Amin
Hughes	Johnson	Lowe 44	Meadows	Moore
Muschany	Rucker	Self	Vogt	Weter
Young	Zweifel			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1973**, relating to public school retirement systems, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1973** was read the third time and passed by the following vote:

AYES: 147

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream

Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Daus	El-Amin	Hughes	Hunter
Johnson	Lowe 44	Meadows	Moore	Rucker
Self	Weter	Young	Zweifel	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1368**, relating to Northwest Missouri State University, was taken up by Representative Thomson.

On motion of Representative Thomson, **HB 1368** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wells	Weter

Whorton  
Wood  
Mr Speaker

Wildberger  
Wright-Jones

Wilson 119  
Yaeger

Wilson 130  
Zimmerman

Witte  
Zweifel

NOES: 000

PRESENT: 001

Brown 30

ABSENT WITH LEAVE: 019

Avery  
Harris 110  
Meadows  
Wasson

Burnett  
Hubbard  
Robinson  
Wright 159

Cooper 120  
Hughes  
Rucker  
Yates

Daus  
Johnson  
Salva  
Young

El-Amin  
Lowe 44  
Self

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1450**, relating to the Joint Committee on Terrorism, was taken up by Representative Roorda.

On motion of Representative Roorda, **HB 1450** was read the third time and passed by the following vote:

AYES: 147

Aull  
Brandom  
Burnett  
Cox  
Davis  
Dixon  
Ervin  
Flook  
Grill  
Haywood  
Hunter  
Kelly  
Kuessner  
Lipke  
McClanahan  
Muschany  
Norr  
Parson  
Quinn 7  
Roorda  
Scavuzzo  
Schlottach  
Silvey  
Stevenson  
Swinger  
Todd  
Walsh

Baker 25  
Bringer  
Casey  
Cunningham 145  
Day  
Donnelly  
Faith  
Frame  
Grisamore  
Hobbs  
Icet  
Kingery  
Lampe  
Loehner  
McGhee  
Nance  
Onder  
Pearce  
Quinn 9  
Ruestman  
SchAAF  
Schneider  
Skaggs  
St. Onge  
Talboy  
Viebrock  
Walton

Baker 123  
Brown 30  
Chappelle-Nadal  
Cunningham 86  
Deeken  
Dougherty  
Fallert  
Franz  
Guest  
Hodges  
Jones 89  
Komo  
Lembke  
Low 39  
Meiners  
Nasheed  
Oxford  
Pollock  
Richard  
Ruzicka  
Schad  
Schoeller  
Smith 14  
Storch  
Thomson  
Villa  
Wasson

Bivins  
Brown 50  
Cooper 155  
Curls  
Denison  
Dusenberg  
Fares  
Funderburk  
Harris 23  
Holsman  
Jones 117  
Kratky  
LeVota  
Marsh  
Moore  
Nieves  
Page  
Portwood  
Robb  
Sander  
Scharnhorst  
Schoemehl  
Smith 150  
Stream  
Threlkeld  
Vogt  
Wells

Bland  
Bruns  
Corcoran  
Darrough  
Dethrow  
Emery  
Fisher  
George  
Harris 110  
Hoskins  
Kasten  
Kraus  
Liese  
May  
Munzlinger  
Nolte  
Parkinson  
Pratt  
Robinson  
Sater  
Schieffer  
Shively  
Spreng  
Sutherland  
Tilley  
Wallace  
Weter



Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Cooper 120	Daus	El-Amin	Hubbard
Hughes	Johnson	Lowe 44	Meadows	Rucker
Salva	Self	Young		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1689**, relating to the Governor's Council on Disability, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HB 1689** was read the third time and passed by the following vote:

AYES: 137

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Kuessner	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130

Witte	Wood	Wright 159	Wright-Jones	Yates
Zimmerman	Zweifel			

NOES: 009

Bringer	Darrough	George	Kratky	Lampe
Talboy	Whorton	Wildberger	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Cooper 120	Daus	El-Amin	Haywood
Hughes	Johnson	Lowe 44	Meadows	Rucker
Salva	Self	Vogt	Young	Mr Speaker

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 2055**, relating to police and firemen pension systems, was taken up by Representative Viebrock.

On motion of Representative Viebrock, **HB 2055** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton

Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Cooper 120	Daus	El-Amin	Hubbard
Johnson	Kasten	Lowe 44	Meadows	Rucker
Salva	Schneider	Schoemehl	Self	Young
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 2056**, relating to public school retirement systems, was taken up by Representative Viebrock.

On motion of Representative Viebrock, **HCS HB 2056** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger

Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Burnett	Cooper 120	Daus	El-Amin
Hughes	Hunter	Johnson	Lembke	Lowe 44
Meadows	Onder	Salva	Self	Young
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Nieves assumed the Chair.

**HB 1358**, relating to uniform child custody jurisdiction, was taken up by Representative Flook.

On motion of Representative Flook, **HB 1358** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walton	Wasson	Wells	Weter

Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Kuessner	Lembke
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PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Cooper 120	Daus	El-Amin	Hunter
Johnson	Meadows	Salva	Self	Walsh
Young				

VACANCIES: 002

Representative Nieves declared the bill passed.

**HB 1422**, relating to uniform carrier registration, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HB 1422** was read the third time and passed by the following vote:

AYES: 146

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Hughes
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger

Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 25	Cooper 120	Daus	El-Amin
Holsman	Hunter	Ice	Johnson	Lowe 44
Meadows	Robinson	Salva	Self	Young

VACANCIES: 002

Representative Nieves declared the bill passed.

**HB 1469**, relating to the Administrative Hearing Commission, was taken up by Representative Pratt.

On motion of Representative Pratt, **HB 1469** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130

Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Corcoran	Daus	El-Amin	Hunter
Johnson	Lowe 44	Meadows	Robinson	Salva
Self	Young			

VACANCIES: 002

Representative Nieves declared the bill passed.

Speaker Jetton resumed the Chair.

**HB 1983**, relating to business organizations, was taken up by Representative Pratt.

On motion of Representative Pratt, **HB 1983** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130

Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Corcoran	Daus	El-Amin	Hunter
Johnson	Meadows	Richard	Robinson	Salva
Self	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 1805**, relating to co-payments for prescription drugs, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HB 1805** was read the third time and passed by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			



NOES: 003

Schieffer	Wells	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Cooper 120	Corcoran	Daus	El-Amin
Franz	Hunter	Johnson	Lowe 44	Meadows
Richard	Robinson	Salva	Self	Spreng
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 1426**, relating to the Missouri Public Service Commission, was taken up by Representative Kraus.

On motion of Representative Kraus, **HB 1426** was read the third time and passed by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wildberger
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 020

Avery	Cooper 120	Corcoran	Daus	El-Amin
Franz	Harris 110	Hunter	Johnson	Lowe 44
McGhee	Meadows	Nasheed	Robinson	Salva
Self	Spreng	Wasson	Wilson 119	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 1616**, relating to real estate brokers, was taken up by Representative Ruzicka.

On motion of Representative Ruzicka, **HB 1616** was read the third time and passed by the following vote:

AYES: 147

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Corcoran	Daus	El-Amin	Hughes
Hunter	Johnson	Meadows	Robinson	Salva
Self	Spreng	Wasson	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 2081**, relating to embalming, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HB 2081** was read the third time and passed by the following vote:

AYES: 147

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

LeVota

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Cooper 120	Corcoran	Daus	Hughes
Hunter	Johnson	Meadows	Robinson	Salva
Self	Spreng	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 1690**, relating to the transfer of insurance information, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HCS HB 1690** was read the third time and passed by the following vote:

AYES: 139

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 002

Harris 110	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Baker 25	Bland	Cooper 120	Corcoran
Daus	Deeken	Hughes	Hunter	Johnson
Meadows	Nieves	Parkinson	Robinson	Salva
Skaggs	Spreng	St. Onge	Wildberger	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HBs 1876 & 1877**, relating to special education due process, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS HBs 1876 & 1877** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 005

Burnett	Haywood	Talboy	Whorton	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 25	Bland	Cooper 120	Corcoran
Daus	Dougherty	Hughes	Hunter	Johnson
Meadows	Robinson	Salva	Skaggs	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 2065**, relating to psychologists, was taken up by Representative Wasson.

On motion of Representative Wasson, **HB 2065** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hubbard	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 25	Bland	Cooper 120	Daus
Hoskins	Hughes	Hunter	Johnson	Meadows
Robinson	Salva	Skaggs	Young	Zimmerman

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 1611**, relating to the children's bill of courtroom rights, was taken up by Representative Dixon.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 059

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 25	Brown 50	Daus	Haywood
Hunter	Johnson	LeVota	Meadows	Nolte
Skaggs	Spreng	Wallace	Young	

VACANCIES: 002

On motion of Representative Dixon, **HCS HB 1611** was read the third time and passed by the following vote:

AYES: 100

Baker 123	Bivins	Brandom	Brown 30	Brown 50
Bruns	Casey	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grisamore	Guest
Harris 110	Hobbs	Hoskins	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Lampe	Lipke	Loehner	Low 39
Marsh	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Norr
Onder	Oxford	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 048

Aull	Bland	Bringer	Burnett	Chappelle-Nadal
Corcoran	Curls	Darrough	Donnelly	El-Amin
Fallert	George	Grill	Harris 23	Haywood
Hodges	Holsman	Hubbard	Hughes	Kratky
Kuessner	Lembke	Liese	McClanahan	Nasheed
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Schoemehl	Shively	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000



ABSENT WITH LEAVE: 013

Avery	Baker 25	Cooper 120	Daus	Hunter
Johnson	LeVota	Lowe 44	Meadows	Nolte
Skaggs	Spreng	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 1677**, relating to local government employee retirement, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1677** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 25	Cooper 120	Daus	Frame
Hunter	Johnson	LeVota	Lowe 44	Meadows
Skaggs	Spreng	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

On motion of Representative Tilley, the House recessed until 7:00 p.m.

### EVENING SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1430 through House Resolution No. 1509

Speaker Jetton resumed the Chair.

### THIRD READING OF HOUSE BILLS - CONSENT

**HCS HB 1807**, relating to state schools for the disabled, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 1807** was read the third time and passed by the following vote:

AYES: 136

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Hoskins	Hubbard	Hughes	Icet
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl

Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Avery	Baker 25	Bruns	Cooper 120	Daus
Day	Dixon	Donnelly	Funderburk	Harris 23
Haywood	Holsman	Hunter	Johnson	Jones 89
Jones 117	Low 39	Munzlinger	Schaaf	Schneider
Self	Storch	Vogt	Young	Zweifel

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 1881**, relating to public water supply district boards, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HB 1881** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hubbard
Hughes	Icet	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Stream	Sutherland

Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Baker 25	Cooper 120	Cunningham 86	Daus
Day	Dixon	Donnelly	Haywood	Holsman
Hunter	Johnson	Jones 89	Low 39	Schaaf
Self	Storch	Vogt	Young	Zweifel

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 1869**, relating to community colleges, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **HB 1869** was read the third time and passed by the following vote:

AYES: 143

Aull	Bivins	Bland	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130

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Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 001

Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Baker 25	Baker 123	Daus	Day
Dixon	Donnelly	Haywood	Hunter	Johnson
Lowe 44	Rucker	Schaaf	Self	Storch
Young	Zweifel			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 1946**, relating to adoption subsidies, was taken up by Representative Franz.

On motion of Representative Franz, **HB 1946** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger

Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Baker 25	Daus	Day	Dixon
Hunter	Icet	Johnson	Lowe 44	Meiners
Nieves	Ruestman	Schaaf	Self	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Speaker Jetton declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**HCS HB 2204**, relating to public school retirement systems, was taken up by Representative Ervin.

On motion of Representative Ervin, **HCS HB 2204** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte

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Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 006

Frame	Hughes	Kuessner	Low 39	Talboy
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker 25	Cooper 120	Daus	Day
Hunter	Icet	Johnson	Nieves	Ruestman
Schaaf	Young			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 2104**, relating to public retirement systems, was taken up by Representative Viebrock.

On motion of Representative Viebrock, **HCS HB 2104** was read the third time and passed by the following vote:

AYES: 109

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fares
Fisher	Franz	Funderburk	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hoskins	Hubbard
Hunter	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kratky	Kraus	Lampe	Lembke
Lipke	Loehner	Marsh	May	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright 159
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 042

Baker 25	Bland	Burnett	Chappelle-Nadal	Curls
Darrough	Donnelly	Fallert	Flook	Frame
George	Grill	Harris 23	Hodges	Holsman

Hughes	Komo	Kuessner	LeVota	Liese
Low 39	McClanahan	McGhee	Nasheed	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Scavuzzo	Skaggs	Spreng	Talboy	Todd
Vogt	Walsh	Whorton	Wildberger	Wood
Wright-Jones	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Cooper 120	Corcoran	Daus	Day
Ice	Johnson	Lowe 44	Schaaf	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 2226**, relating to the higher education savings program, was taken up by Representative Muschany.

On motion of Representative Muschany, **HB 2226** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130



Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Burnett	Holsman	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Cooper 155	Daus	Day	Johnson
Lowe 44	Roorda	Schaaf	Young	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1784**, relating to flags flown over state buildings, was taken up by Representative Meadows.

On motion of Representative Meadows, **HB 1784** was read the third time and passed by the following vote:

AYES: 152

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter

Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Cooper 155	Daus	Day	Hunter
Johnson	Schaaf	Young	Mr Speaker	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1419**, relating to massage therapists, was taken up by Representative Portwood.

On motion of Representative Portwood, **HB 1419** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Cooper 120	Cooper 155	Daus	Day
Hughes	Johnson	Lowe 44	Meiners	Salva
Schaaf	Young	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1706**, relating to a public school retirement system, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HB 1706** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Cooper 120	Daus	Day	Hughes
Johnson	Lowe 44	Meiners	Salva	Schaaf
Young	Mr Speaker			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1707**, relating to design-build school contracts, was taken up by Representative Baker (123).

On motion of Representative Baker (123), **HCS HB 1707** was read the third time and passed by the following vote:

AYES: 103

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grill	Grisamore	Guest	Hobbs	Holsman
Hoskins	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates		

NOES: 045

Baker 25	Bland	Burnett	Casey	Chappelle-Nadal
Curls	Donnelly	Fallert	Frame	George
Harris 23	Harris 110	Haywood	Hodges	Hubbard
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Meadows	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Schieffer	Schoemehl	Spreng	Storch	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Cooper 120	Daus	Day	Hughes
Hunter	Johnson	Lowe 44	Robinson	Schaaf
Wallace	Young	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1710**, relating to the Kansas City Police Retirement System, was taken up by Representative Flook.

On motion of Representative Flook, **HB 1710** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Cooper 120	Daus	Day	Hughes
Hunter	Johnson	May	Robinson	Schaaf
Young	Mr Speaker			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1617**, relating to irrevocable life insurance trusts, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HB 1617** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 002

Burnett	Talboy
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PRESENT: 001

Whorton

ABSENT WITH LEAVE: 010

Avery	Daus	Day	Hughes	Hunter
Johnson	Salva	Schaaf	Young	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1791**, relating to licensed professional counselors, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HB 1791** was read the third time and passed by the following vote:

AYES: 151

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Daus	Day	Hughes	Hunter
Johnson	Salva	Schaaf	Weter	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1804**, relating to home-rule cities, was taken up by Representative Corcoran.

On motion of Representative Corcoran, **HCS HB 1804** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 013

Avery	Cooper 120	Daus	Day	Fares
Hughes	Hunter	Johnson	Low 39	Lowe 44
Schaaf	Weter	Young		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 133

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Deeken	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	Meadows	Meiners
Moore	Munzlinger	Nance	Nasheed	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 018

Brown 30	Davis	Denison	Dethrow	Hunter
Jones 89	Kasten	Lipke	McGhee	Muschany
Nieves	Nolte	Quinn 7	Ruestman	Stevenson
Stream	Talboy	Wells		

PRESENT: 001

George

ABSENT WITH LEAVE: 009

Avery	Baker 25	Cooper 120	Daus	Day
Hughes	Johnson	Schaaf	Young	

VACANCIES: 002

**HB 1828**, relating to sales and use tax regulations, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HB 1828** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fisher	Flook	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zweifel
Mr Speaker				

NOES: 011

Burnett	Dethrow	Frame	Harris 110	LeVota
Low 39	Skaggs	Talboy	Whorton	Wildberger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	Cooper 120	Daus	Day	Fares
Hughes	Johnson	Schaaf	Young	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1864**, relating to gambling boat bank deposits, was taken up by Representative Parson.

On motion of Representative Parson, **HB 1864** was read the third time and passed by the following vote:

AYES: 138

Aull	Baker 123	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Cooper 120
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Deeken	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 013

Baker 25	Bringer	Casey	Chappelle-Nadal	Davis
Dethrow	Harris 110	Kuessner	LeVota	Norr
Shively	Skaggs	Wright-Jones		

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Cooper 155	Corcoran	Daus	Day
Hughes	Johnson	Lowe 44	Schaaf	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1893**, relating to premium refund calculators, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **HCS HB 1893** was read the third time and passed by the following vote:

AYES: 151

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Cooper 155	Corcoran	Daus	Day
Hughes	Johnson	Lowe 44	Schaaf	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1883**, relating to employee job protection, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 1883** was read the third time and passed by the following vote:

AYES: 150

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Cooper 155	Corcoran	Daus	Day
George	Johnson	Lowe 44	Schaaf	Spreng
Young				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1904**, relating to the State Housing Development Commission, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 1904** was read the third time and passed by the following vote:

AYES: 146

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Brown 50	Corcoran	Daus	Day
Hoskins	Hughes	Johnson	Lowe 44	Page
Rucker	Schaaf	Spreng	Young	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1910**, relating to vehicular traffic regulations, was taken up by Representative Ervin.

On motion of Representative Ervin, **HCS HB 1910** was read the third time and passed by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yates	Zweifel

NOES: 010

Burnett	Frame	Harris 23	Harris 110	Hughes
Kratky	Talboy	Whorton	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Corcoran	Daus	Day	Johnson
Lowe 44	Page	Schaaf	Spreng	Young
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1995**, relating to reclassification of counties, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HB 1995** was read the third time and passed by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 002

Skaggs	Talboy
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PRESENT: 000



ABSENT WITH LEAVE: 010

Avery	Corcoran	Daus	Day	Johnson
Lowe 44	Schaaf	Spreng	Young	Mr Speaker

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 2064**, relating to the Pain Treatment Act and pharmacists, was taken up by Representative Parson.

On motion of Representative Parson, **HCS HB 2064** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

NOES: 003

Chappelle-Nadal	LeVota	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 25	Corcoran	Daus	Day
Hughes	Hunter	Johnson	Lowe 44	Schaaf
Spreng	Young	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 2360**, relating to a memorial highway, was taken up by Representative Guest.

On motion of Representative Guest, **HCS HB 2360** was read the third time and passed by the following vote:

AYES: 146

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel				

NOES: 002

Baker 123	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Corcoran	Daus	Day	Hughes
Hunter	Johnson	Lowe 44	Salva	Schaaf
Spreng	Young	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 1676**, relating to admission of nonresident students, was taken up by Representative Hoskins.

Speaker Jetton resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Baker 123	Bivins	Brandom	Brown 30	Brown 50
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Haywood
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 054

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Donnelly
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Corcoran	Daus	Day	Hughes
Johnson	Robinson	Salva	Spreng	Storch
Yates	Young			

VACANCIES: 002

Representative Hoskins moved that **HCS HB 1676** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 078

Baker 25	Bland	Brandom	Bringer	Brown 50
Burnett	Cooper 120	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Dixon	Dougherty
El-Amin	Emery	Ervin	Faith	Flook
Harris 110	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kratky	Lampe	Lembke	Loehner	Low 39
Lowe 44	Marsh	May	Meiners	Moore
Munzlinger	Muschany	Nasheed	Nieves	Norr
Onder	Oxford	Parkinson	Parson	Portwood
Quinn 7	Richard	Robb	Rucker	Ruestman
Scavuzzo	Schaaf	Schad	Scharnhorst	Schoeller
Schoemehl	Self	Shively	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Talboy	Threlkeld
Tilley	Villa	Walton	Wasson	Wildberger
Wright-Jones	Zweifel	Mr Speaker		

NOES: 072

Aull	Baker 123	Bivins	Brown 30	Bruns
Casey	Chappelle-Nadal	Cooper 155	Deeken	Denison
Dethrow	Donnelly	Dusenberg	Fallert	Fares
Fisher	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Haywood	Hodges
Kelly	Kingery	Komo	Kraus	Kuessner
LeVota	Liese	Lipke	McClanahan	McGhee
Meadows	Nance	Nolte	Page	Pearce
Pollock	Pratt	Quinn 9	Robinson	Roorda
Ruzicka	Sander	Sater	Schieffer	Schlottach
Schneider	Silvey	Skaggs	St. Onge	Storch
Swinger	Thomson	Todd	Viebrock	Vogt
Wallace	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman			

PRESENT: 001

Walsh

ABSENT WITH LEAVE: 010

Avery	Corcoran	Daus	Day	Harris 23
Johnson	Kasten	Salva	Spreng	Young

VACANCIES: 002

**HB 2047**, relating to street grading in certain cities, was taken up by Representative Curls.

On motion of Representative Curls, **HB 2047** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Brown 50

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Corcoran	Daus	Day	Harris 23
Hunter	Johnson	Kasten	Nasheed	Quinn 7
Spreng	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 1783**, relating to flags at half-staff, was taken up by Representative Meadows.

On motion of Representative Meadows, **HCS HB 1783** was read the third time and passed by the following vote:

AYES: 146

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Cooper 120	Corcoran	Daus	Day
Harris 23	Hughes	Hunter	Johnson	Kasten
Lowe 44	Muschany	Salva	Spreng	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**HB 1861**, relating to renewable energy, was taken up by Representative Baker (25).

On motion of Representative Baker (25), **HB 1861** was read the third time and passed by the following vote:

AYES: 134

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 86
Curls	Darrough	Deeken	Denison	Dixon
Donnelly	Dougherty	El-Amin	Faith	Fallert
Fares	Fisher	Flook	Frame	Funderburk
George	Grill	Grisamore	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Zimmerman	Zweifel	Mr Speaker	

NOES: 016

Baker 123	Cunningham 145	Davis	Dethrow	Dusenberg
Emery	Ervin	Franz	Guest	Kraus
May	Muschany	Pollock	Stevenson	Wells
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Cooper 120	Corcoran	Daus	Day
Harris 23	Hunter	Johnson	Lowe 44	Spreng
Young				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1887**, relating to a memorial highway, was taken up by Representative Parson.

On motion of Representative Parson, **HB 1887** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000



ABSENT WITH LEAVE: 016

Avery	Baker 123	Brown 30	Cooper 120	Corcoran
Daus	Day	Harris 23	Hunter	Johnson
Lowe 44	McGhee	Salva	Spreng	Wildberger
Young				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1937**, relating to transportation development districts, was taken up by Representative Pearce.

On motion of Representative Pearce, **HB 1937** was read the third time and passed by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Flook	Funderburk	George
Grill	Grisamore	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kasten	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 011

Bringer	Donnelly	Ervin	Frame	Franz
Guest	Harris 23	Harris 110	Kelly	Wildberger
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 010

Avery	Corcoran	Daus	Day	Johnson
Lowe 44	Robinson	Salva	Spreng	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1952**, relating to a memorial bridge, was taken up by Representative Loehner.

On motion of Representative Loehner, **HB 1952** was read the third time and passed by the following vote:

AYES: 150

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Brown 50	Corcoran	Daus	Day
Johnson	Lowe 44	Robinson	Salva	Spreng
Young				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1956**, relating to pesticide registration fees, was taken up by Representative Bivins.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 095

Baker 123	Bivins	Brandom	Brown 30	Bruns
Casey	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 054

Aull	Baker 25	Bland	Bringer	Brown 50
Chappelle-Nadal	Curls	Darrough	Donnelly	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Vogt	Walsh	Walton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Burnett	Cooper 120	Corcoran	Daus
Day	Johnson	Robinson	Salva	Spreng
Whorton	Young			

VACANCIES: 002

Representative Bivins moved that **HB 1956** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 071

Aull	Bivins	Brandom	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Dethrow	Dixon
Dougherty	El-Amin	Faith	Fares	Fisher
Flook	Funderburk	Guest	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jones 117	Kingery
Lembke	Liese	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Nance	Nieves	Onder	Parkinson	Parson
Pearce	Quinn 7	Quinn 9	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schamhorst	Schlottach	Self	Smith 14	Stevenson
St. Onge	Stream	Swinger	Thomson	Tilley
Todd	Villa	Wallace	Wasson	Weter
Wildberger	Wilson 119	Witte	Wood	Wright 159
Mr Speaker				

NOES: 077

Baker 25	Baker 123	Bland	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Curls	Darrrough	Denison	Donnelly	Dusenberg
Emery	Ervin	Fallert	Frame	Franz
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Jones 89
Kasten	Kelly	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Lipke	Low 39
McClanahan	Meadows	Muschany	Nasheed	Nolte
Norr	Oxford	Page	Pollock	Portwood
Pratt	Roorda	Rucker	Scavuzzo	Schad
Schieffer	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 150	Storch	Sutherland
Talboy	Threlkeld	Viebrock	Vogt	Walsh
Wells	Wilson 130	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel			

PRESENT: 001

Walton

ABSENT WITH LEAVE: 012

Avery	Cooper 120	Cooper 155	Corcoran	Daus
Day	Johnson	Robinson	Salva	Spreng
Whorton	Young			

VACANCIES: 002

**HCS HB 2036**, relating to funding for certain elderly services, was taken up by Representative Nance.

On motion of Representative Nance, **HCS HB 2036** was read the third time and passed by the following vote:

AYES: 136

Aull	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 013

Bringer	Burnett	Darrough	Hodges	Hughes
Komo	Lowe 44	Quinn 9	Roorda	Skaggs
Swinger	Talboy	Witte		

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Bland	Cooper 120	Corcoran	Daus
Day	Johnson	Robinson	Salva	Spreng
Whorton	Young			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Cooper (120) assumed the Chair.

**HCS HB 2048**, relating to the Textbook Transparency Act, was taken up by Representative Zimmerman.

On motion of Representative Zimmerman, **HCS HB 2048** was read the third time and passed by the following vote:

AYES: 150

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Corcoran	Daus	Day	Johnson
McGhee	Robinson	Salva	Spreng	Whorton
Young				

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**HCS HB 2068**, relating to physical therapists and assistants, was taken up by Representative Kuessner.

On motion of Representative Kuessner, **HCS HB 2068** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Chappelle-Nadal

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker 123	Corcoran	Daus	Day
Fallert	Johnson	Robinson	Salva	Spreng
Whorton	Young			

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**HB 2051**, relating to the Board of Probation and Parole, was taken up by Representative Kelly.

On motion of Representative Kelly, **HB 2051** was read the third time and passed by the following vote:

AYES: 144

Baker 25	Bivins	Bland	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 002

Hughes	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Avery	Baker 123	Corcoran	Daus
Day	Fisher	Johnson	Pearce	Robinson
Salva	Self	Spreng	Whorton	Young

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**HCS HB 2206**, relating to public roadways, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HCS HB 2206** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 002

Wildberger	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 123	Corcoran	Darrough	Daus
Day	Dougherty	Hughes	Johnson	Page
Robinson	Salva	Spreng	Whorton	Young

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**HB 2157**, relating to identity theft, was taken up by Representative Grill.

On motion of Representative Grill, **HB 2157** was read the third time and passed by the following vote:

AYES: 147

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 123	Corcoran	Daus	Day
Hughes	Johnson	Page	Robinson	Salva
Spreng	Whorton	Wildberger	Young	

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

Speaker Jetton resumed the Chair.

**HCS HB 2206**, relating to public roadways, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 2206** was read the third time and passed by the following vote:

AYES: 139

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Nance	Nasheed
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 009

Davis	Hobbs	Hughes	Lipke	Nieves
Quinn 7	Sander	Skaggs	Stevenson	

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 123	Cooper 120	Corcoran	Daus
Day	Johnson	Muschany	Robinson	Salva
Spreng	Whorton	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 2213**, relating to family involvement in education week, was taken up by Representative Kraus.

On motion of Representative Kraus, **HB 2213** was read the third time and passed by the following vote:

AYES: 146

Aull	Bivins	Bland	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 25	Baker 123	Chappelle-Nadal	Cooper 120
Corcoran	Daus	Day	Johnson	Parson
Robinson	Salva	Spreng	Whorton	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 2224**, relating to training for peace officers, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 2224** was read the third time and passed by the following vote:

AYES: 148

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 123	Cooper 120	Corcoran	Daus
Day	Hughes	Johnson	Robinson	Salva
Spreng	Whorton	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 2233**, relating to public officials, was taken up by Representative Page.

On motion of Representative Page, **HB 2233** was read the third time and passed by the following vote:

AYES: 147

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 123	Cooper 120	Corcoran	Daus
Day	Johnson	Nasheed	Robinson	Roorda
Salva	Spreng	Whorton	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

Representative Pearce assumed the Chair.

**HB 2258**, relating to the state water patrol commissioner, was taken up by Representative Pollock.

On motion of Representative Pollock, **HB 2258** was read the third time and passed by the following vote:

AYES: 125

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Faith	Fallert	Fares	Fisher
Franz	Funderburk	George	Grill	Grisamore
Harris 23	Harris 110	Hodges	Hoskins	Hubbard
Hunter	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	Liese	Lipke	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Roorda
Ruestman	Ruzicka	Sander	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

NOES: 020

Cox	Emery	Ervin	Flook	Frame
Guest	Hobbs	Holsman	Hughes	Icet
Kraus	LeVota	Loehner	Munzlinger	Nolte
Quinn 7	Rucker	Skaggs	Stevenson	Talboy

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Cooper 120	Corcoran	Daus
Day	Haywood	Johnson	Robinson	Salva
Sater	Spreng	Walsh	Whorton	Young
Mr Speaker				

VACANCIES: 002

Representative Pearce declared the bill passed.

**HCS HB 1546**, relating to infection control, was taken up by Representative Schaaf.

On motion of Representative Schaaf, **HCS HB 1546** was read the third time and passed by the following vote:

AYES: 136

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Ruestman	Ruzicka	Sander
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel				

NOES: 007

George	Hughes	Rucker	Skaggs	Swinger
Talboy	Witte			

PRESENT: 001

Oxford



ABSENT WITH LEAVE: 017

Avery	Baker 123	Cooper 120	Corcoran	Daus
Day	Haywood	Johnson	Lowe 44	Robinson
Salva	Sater	Spreng	Whorton	Wildberger
Young	Mr Speaker			

VACANCIES: 002

Representative Pearce declared the bill passed.

**HB 1416**, relating to the official state mushroom, was taken up by Representative Nance.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 092

Baker 25	Bivins	Brandom	Brown 30	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Denison	Dethrow
Dixon	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yates	Mr Speaker			

NOES: 048

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Curls	Darrough	Donnelly	Dougherty
Fallert	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hughes	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Sander	Scavuzzo	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Witte
Yaeger	Zimmerman	Zweifel		

PRESENT: 002

Frame	Schieffer
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ABSENT WITH LEAVE: 019

Avery	Baker 123	Corcoran	Daus	Day
Haywood	Hubbard	Johnson	Kratky	Lowe 44
Pratt	Robinson	Salva	Sater	Spreng
Walton	Whorton	Wildberger	Young	

VACANCIES: 002

On motion of Representative Nance, **HB 1416** was read the third time and passed by the following vote:

AYES: 091

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Casey	Chappelle-Nadal	Cooper 120
Cunningham 145	Curls	Darrough	Davis	Deeken
Denison	Dixon	El-Amin	Ervin	Faith
Fisher	Franz	Funderburk	Grill	Grisamore
Hobbs	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Kratky
Lembke	Liese	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Nance	Nieves	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Schaaf	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 150	St. Onge	Storch	Stream	Sutherland
Thomson	Tilley	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Mr Speaker				

NOES: 049

Bringer	Bruns	Cooper 155	Cox	Cunningham 86
Dethrow	Donnelly	Dougherty	Dusenberg	Emery
Fallert	Fares	Flook	George	Guest
Harris 23	Harris 110	Hodges	Holsman	Hughes
Kasten	Komo	Kraus	Kuessner	Lampe
LeVota	Lipke	Loehner	Nasheed	Norr
Oxford	Quinn 9	Roorda	Sander	Scavuzzo
Schad	Schoemehl	Shively	Skaggs	Smith 14
Stevenson	Swinger	Talboy	Todd	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

PRESENT: 004

Frame	Muschany	Nolte	Threlkeld
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ABSENT WITH LEAVE: 017

Avery	Baker 123	Burnett	Corcoran	Daus
Day	Haywood	Johnson	Lowe 44	Robinson
Salva	Sater	Spreng	Walton	Whorton
Wildberger	Young			

VACANCIES: 002

Representative Pearce declared the bill passed.

**HB 1824**, relating to the official state dessert, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **HB 1824** was read the third time and passed by the following vote:

AYES: 105

Aull	Bivins	Bland	Brandom	Brown 30
Brown 50	Burnett	Casey	Cunningham 145	Curls
Darrough	Davis	Deeken	Denison	Dixon
Dusenberg	El-Amin	Ervin	Faith	Fares
Fisher	Franz	Funderburk	Grill	Grisamore
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Lembke	Liese
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruestman	Ruzicka	Scavuzzo
Schaaf	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Mr Speaker

NOES: 035

Baker 25	Bringer	Bruns	Chappelle-Nadal	Cooper 155
Cunningham 86	Dethrow	Donnelly	Dougherty	Emery
Fallert	Flook	George	Guest	Harris 23
Harris 110	Hughes	Komo	Kraus	Kuessner
Lampe	LeVota	Lipke	Norr	Oxford
Roorda	Sander	Schad	Skaggs	Swinger
Talboy	Wright-Jones	Yates	Zimmerman	Zweifel

PRESENT: 004

Frame	Muschany	Nolte	Threlkeld
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ABSENT WITH LEAVE: 017

Avery	Baker 123	Cooper 120	Corcoran	Cox
Daus	Day	Haywood	Johnson	Robinson
Salva	Sater	Spreng	Walton	Whorton
Wildberger	Young			

VACANCIES: 002

Representative Pearce declared the bill passed.

**HB 1640**, relating to birth certificates, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **HB 1640** was read the third time and passed by the following vote:

AYES: 128

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Roorda	Rucker	Ruestman	Ruzicka	Sander
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Wilson 130	Wood	Wright 159	Wright-Jones	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 013

Bringer	Darrough	Donnelly	George	Harris 110
Hughes	Kuessner	Lowe 44	Skaggs	Swinger
Wilson 119	Witte	Yaeger		

PRESENT: 001

Robb

ABSENT WITH LEAVE: 019

Avery	Baker 123	Cooper 120	Corcoran	Daus
Day	Harris 23	Haywood	Johnson	Robinson
Salva	Sater	Schneider	Spreng	Stevenson
Walton	Whorton	Wildberger	Young	

VACANCIES: 002

Representative Pearce declared the bill passed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1929** - Fiscal Review (Fiscal Note)  
**HB 2254** - Conservation and Natural Resources  
**HB 2354** - Special Committee on Ticket to Work  
**HB 2423** - Special Committee on Healthcare Transformation  
**HB 2443** - Special Committee on Energy and Environment  
**HB 2446** - Special Committee on General Laws  
**HB 2487** - Special Committee on Professional Registration and Licensing  
**HB 2496** - Special Committee on General Laws

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SCS SB 907** - Conservation and Natural Resources  
**SCS SB 935** - Local Government  
**SCS SBs 1034 & 802** - Special Committee on Utilities

### **COMMITTEE REPORTS**

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

#### **HOUSE CONCURRENT RESOLUTION NO. 25**

WHEREAS, the U.S. Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. The CPSC has rated furniture tip-overs as number 3 of the top 5 hidden home hazards; and

WHEREAS, according to the CPSC, each year an estimated 3,000 children ages 5 and younger nationwide go to the emergency room with injuries caused by television sets falling or tipping over, and at least 100 people - mostly young children - have been killed since 2000 by falling televisions or other furniture; and

WHEREAS, in September of 2006, the CPSC warned parents and caregivers about the dangers of television and heavy furniture tipping over and killing young children. From 2000 to 2005, CPSC had reports of 36 television tip-over deaths and 65 furniture tip-over deaths. More than 80% of all these deaths involved young children; and

WHEREAS, the number of deaths due to furniture tip-overs is on the rise. In 2006, the CPSC reported 31 deaths from improperly secured furniture and televisions, with tip-overs resulting in an average of 22 deaths per year; and

WHEREAS, very heavy furniture items can potentially cause crush injuries, but more commonly when a large dresser, shelf, or home entertainment center tips, the resulting injury is often suffocation. Children become pinned between the tipping furniture and the bed or floor, unable to breathe or call for help, making it a nearly silent event; and

WHEREAS, the danger of tipping comes when a child tries to climb the front of a furniture piece. In these accidents, the child attempts to reach the top of the furniture piece by using a bottom drawer or shelf like a step. The weight of the furniture and the child pulling down in the front causes the whole piece to tilt forward. Heavy items on top of the furniture can fall on the child or the furniture piece itself can fall forward onto the child; and

WHEREAS, the committee of the American Society for Testing and Materials (ASTM) met in March 2007 to discuss and revise a proposed standard for testing tipping on dressers, armoires, and drawer chests. However, the ASTM can only establish voluntary standards and the proposed revised standard does not include other types of furniture, such as entertainment centers, television stands, or any piece of furniture 30 inches in height or less; and

WHEREAS, while the ASTM, furniture executives, and consumer safety advocates are working together to form voluntary safety standards to address this issue, the increase in tipping furniture deaths and injuries to children demands mandatory regulation regarding labeling, furniture standards, and the use of anchoring devices:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Congress and the Consumer Product Safety Commission to immediately enact mandatory regulations that:

(1) Strengthens and makes mandatory the ASTM International's voluntary furniture safety standard for furniture tip-over hazards;

(2) Requires warning labels on tip-over risks to be posted on all assembled and ready-to-assemble furniture and major appliances; and

(3) Requires all furniture and major appliances with a tip-over risk to come with anchoring devices that can be used to safely secure them to walls; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for Nancy A. Nord, the Acting Chairman of the Consumer Product Safety Commission and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 1839**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SB 885**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Financial Institutions**, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **SCS SB 951**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **SB 999**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 2156**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 2040** and **HB 2430**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tourism**, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **SB 991**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Veterans**, Chairman Day reporting:

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

#### HOUSE CONCURRENT RESOLUTION NO. 5

WHEREAS, the United States Department of Veterans Affairs (VA) provides medical care for veterans, including men and women, who have risked their lives to protect the security of our nation; and

WHEREAS, the funding for this health care at the VA is passed each year by Congress as part of the discretionary budget; and

WHEREAS, each year the budget that gets passed has been seriously underfunded; and

WHEREAS, this serious and now chronic shortfall affects the access to and the quality of medical care services that the VA provides for our veterans; and

WHEREAS, the priority of serving our veterans must be absolute and irrevocable, and must be the foundation for the VA and for our nation:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urgently request the United States Congress to pass assured funding for Veterans Health Care; and

BE IT FURTHER RESOLVED that the Governor and the Missouri Congressional Delegation are urgently requested to support assured funding for our veterans' health care; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the Vice President of the United States, the Speaker of the United States House of Representatives, the Majority Leader of the United States Senate, the Secretary of Veterans Affairs, key members of Congress, all veterans organizations registered with the Missouri Veterans' Commission, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **HB 1562**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Veterans, to which was referred **SCS SB 830**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Urban Education Reform**, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 2078**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 2207**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 71**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1372**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1504**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1549, 1771, 1395 & 2366**, begs leave to report it has examined the same and recommends that it **Do Pass**.



Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1590**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1066**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 733**, entitled:

An act to repeal section 650.100, RSMo, and to enact in lieu thereof two new sections relating to crime laboratories.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 839**, entitled:

An act to repeal section 177.088, RSMo, and to enact in lieu thereof one new section relating to the transfer of title to real property for school districts.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 928**, entitled:

An act to repeal section 392.410, RSMo, and to enact in lieu thereof one new section relating to the public service commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 932**, entitled:

An act to repeal section 650.120, RSMo, and to enact in lieu thereof one new section relating to Internet sex crimes investigation grant program.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 976**, entitled:

An act to repeal sections 621.250 and 640.013, RSMo, and to enact in lieu thereof two new sections relating to certain appeals to be heard by the administrative hearing commission.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1074**, entitled:

An act to repeal section 429.015, RSMo, and to enact in lieu thereof one new section relating to liens for architects, professional engineers, land surveyors, and landscape architects.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1105**, entitled:

An act to amend chapter 143, RSMo, by adding thereto one new section relating to an income tax check-off for contributions to the Breast Cancer Awareness Trust Fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1150**, entitled:

An act to repeal sections 347.740, 351.127, 355.023, 356.233, 359.653, 400.9-528, and 417.018, RSMo, and to enact in lieu thereof seven new sections relating to fees credited to the technology trust fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1153, 1154, 1155 & 1156**, entitled:

An act to repeal sections 169.020, 169.040, 169.056, 169.070, 169.090, 169.130, 169.630, 169.650, 169.655, 169.670, and 169.690, RSMo, and to enact in lieu thereof twelve new sections relating to teacher and school employee retirement systems.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1157**, entitled:

An act to authorize the conveyance of property owned by the state of Missouri in St. Louis County, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1168**, entitled:

An act to repeal section 385.050, and to enact in lieu thereof one new section relating to premium refund calculations for credit insurance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1185**, entitled:

An act to repeal sections 229.110, 302.311, 302.750, 550.050, 550.070, 550.080, 550.090, and 577.041, RSMo, and to enact in lieu thereof three new sections relating to prosecutors, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1209**, entitled:

An act to repeal section 67.1360, RSMo, and to enact in lieu thereof one new section relating to a local sales tax for the promotion of tourism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1225 & 1226**, entitled:

An act to repeal sections 162.961 and 162.963, RSMo, and to enact in lieu thereof two new sections relating to special education due process hearings.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1235**, entitled:

An act to repeal sections 362.550, 456.8-802, and 456.8-816, RSMo, and to enact in lieu thereof three new sections relating to the Missouri uniform trust code.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1261**, entitled:

An act to amend chapter 251, RSMo, by adding thereto one new section relating to collaboration among state departments to secure federal energy independence grants.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, April 3, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SCS SB 942

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, April 3, 2008, 9:30 a.m. Senate Committee Room 2.

Executive session may follow. AMENDED

Public hearing to be held on: SCS HCS HB 2014

### **CONSERVATION AND NATURAL RESOURCES**

Thursday, April 3, 2008, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: HB 2034

### **FISCAL REVIEW**

Thursday, April 3, 2008, 9:00 a.m. Hearing Room 1.

Committee will hear any bills presented to this committee.

### **HEALTH CARE POLICY**

Thursday, April 3, 2008, House Chamber south gallery upon morning adjournment.

Executive session.

### **JOINT COMMITTEE ON CORRECTIONS**

Wednesday, April 9, 2008, 8:30 a.m. Hearing Room 3.

Continuation of Department of Corrections Report.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, April 3, 2008, Hearing Room 1 twenty minutes after adjournment.

Executive session may follow.

Public hearings to be held on: HB 2191, HCS HB 2156, HCS HB 2159,

HCS SCS SBs 753, 728, 906 & 1026, HCS SCS SB 760, SB 841

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Committee will study all aspects of healthcare and how they relate to the problem of the uninsured in Missouri. AMENDED.

Public hearings to be held on: HB 2413, HB 2398

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 3, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1701, HB 2067, HB 2268, SCS SB 1009

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, April 3, 2008, 8:30 a.m. Hearing Room 4.

Executive session.

**WAYS AND MEANS**

Thursday, April 3, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 2035, SS SCS SB 711

**HOUSE CALENDAR**

FORTY-SEVENTH DAY, THURSDAY, APRIL 3, 2008

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 70 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HB 1550 - Stevenson
- 8 HCS HBs 1788 & 1882 - Day
- 9 HCS HB 1802 - Wilson (130)
- 10 HCS HB 1644 - Muschany
- 11 HCS HB 1332 - Sater
- 12 HB 1716 - Guest
- 13 HCS HB 2321 - Dixon
- 14 HCS HB 1813 - Dougherty
- 15 HB 1981 - Spreng

- 16 HCS HBs 1321 & 1695 - Sutherland
- 17 HB 1923 - Jones (117)

**HOUSE BILL FOR PERFECTION - CONSENT**

(3/28/08)

HB 1849 - Curls

**HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HCS HJR 41 - Cunningham (86)

**HOUSE BILLS FOR THIRD READING**

- 1 HB 1773 - Funderburk
- 2 HCS HB 1715 - Schad
- 3 HCS HB 2188 - Pearce
- 4 HB 1319, (Fiscal Review 4-2-08) - Brown (50)
- 5 HCS HB 1341, E.C. - Ruestman
- 6 HCS HB 1393 - Dusenbergl
- 7 HB 1832 - Cooper (120)
- 8 HCS HB 1929, (Fiscal Review 4-2-08) - Cooper (120)
- 9 HCS HB 1790 - Cooper (155)

**HOUSE BILL FOR THIRD READING - FEDERAL MANDATE**

HCS HB 2041 - Fisher

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**SENATE BILLS FOR SECOND READING**

- 1 SB 733
- 2 SB 839
- 3 SB 928
- 4 SB 932
- 5 SB 976
- 6 SB 1074
- 7 SCS SB 1105

- 8        SCS SB 1150
- 9        SCS SBs 1153, 1154, 1155 & 1156
- 10       SCS SB 1157
- 11       SCS SB 1168
- 12       SCS SB 1185
- 13       SCS SB 1209
- 14       SCS SBs 1225 & 1226
- 15       SCS SB 1235
- 16       SCS SB 1261

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1        HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2        HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3        HCR 19, (2-21-08, Pages 305-306) - Sander
- 4        HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5        HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6        HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7        HCR 30, (3-13-08, Pages 500-501) - Emery

#### **BILL IN CONFERENCE**

SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-SEVENTH DAY, THURSDAY, APRIL 3, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God and Father we praise and thank You for the resources You have placed in the world that provide for our needs and enrich our lives. They are Your fatherly gifts to us. We thank You for them.

We thank You for the priceless gift of our children; we thank You first for the children who call us father or mother; we thank You for the children of all the families in our State.

In recent days we have learned that many children need our attention, especially those suffering with the disabilities of autism. We pray for them. Help us, God our Father, to understand their needs and give us the wisdom to do our part in helping them.

Almighty God, help us to do our part in building a world where all children can live in peace. We pray for peace in Iraq and for all the children there. We pray for the solution of all problems that threaten peace in the world.

We pray to You, who are our God, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ronada Hood, LaBria Keys, Micah Jones, Spencer Ruwe, Derek Reynolds, Jeremy Hughes, Zack Hamilton, Jack Streu, Matt Madill, Ashlyn Weber, Ashley Hopper, Lindsey Bogart, Linley Weicken, Laura Leonard, Jacob Sexton, Maryah Burnett, Kimberly Woods, Adam Unsworth, Shadrack Scheppert and Greg Gentry.

The Journal of the forty-sixth day was approved as corrected.

## SPECIAL RECOGNITION

Patrick Kelly was introduced by Representative Muschany and recognized as an Outstanding Missourian.

Benjamin J. Stein was introduced by Representative Cunningham (86) and recognized as an Outstanding American Cultural Icon.



**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1510 through House Resolution No. 1581

**SECOND READING OF SENATE BILLS**

**SB 733, SB 839, SB 928, SB 932, SB 976, SB 1074, SCS SB 1105, SCS SB 1150, SCS SBs 1153, 1154, 1155 & 1156, SCS SB 1157, SCS SB 1168, SCS SB 1185, SCS SB 1209, SCS SBs 1225 & 1226, SCS SB 1235 and SCS SB 1261** were read the second time.

**THIRD READING OF HOUSE BILLS**

**HCS HB 2188**, relating to mortgage fraud, was taken up by Representative Pearce.

Representative Hobbs assumed the Chair.

On motion of Representative Pearce, **HCS HB 2188** was read the third time and passed by the following vote:

AYES: 153

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 007

Avery	Daus	Hunter	Johnson	Salva
Wright-Jones	Young			

VACANCIES: 002

Representative Hobbs declared the bill passed.

**HB 1773**, relating to an exemption for stillborn children, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HB 1773** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman		

NOES: 004

Hoskins	Hughes	Skaggs	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 123	Curls	Daus	Donnelly
El-Amin	Hunter	Johnson	Lowe 44	Walton
Wright-Jones	Young	Zweifel	Mr Speaker	

VACANCIES: 002

Representative Hobbs declared the bill passed.

**HCS HB 1715**, relating to watercraft, was taken up by Representative Schad.

Speaker Pro Tem Pratt resumed the Chair.

Representative Hobbs resumed the Chair

Representative Skaggs moved that **HCS HB 1715** be recommitted to the committee of origin.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 058

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Donnelly
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Corcoran	Darrough	Daus	Johnson
Kingery	Low 39	Meadows	Richard	Roorda
Salva	Spreng	Vogt	Wasson	Young
Zweifel				

VACANCIES: 002

Representative Skaggs again moved that **HCS HB 1715** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 059

Aull	Baker 25	Bland	Bringer	Brown 30
Brown 50	Burnett	Casey	Corcoran	Darrough
Dougherty	Dusenberg	El-Amin	Fallert	Frame
George	Grill	Guest	Harris 110	Haywood
Hodges	Holsman	Hubbard	Hughes	Komo
Kratky	Kraus	Lampe	LeVota	Liese
Lowe 44	Marsh	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wright-Jones	Yaeger	Yates	Zimmerman	

NOES: 089

Baker 123	Bivins	Brandom	Bruns	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Hobbs	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Lembke	Lipke	Loehner	May	McGhee

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Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Mr Speaker	

PRESENT: 001

Salva

ABSENT WITH LEAVE: 012

Avery	Daus	Harris 23	Johnson	Kingery
Kuessner	Low 39	Schneider	Spreng	Wasson
Young	Zweifel			

VACANCIES: 002

On motion of Representative Schad, **HCS HB 1715** was read the third time and passed by the following vote:

AYES: 131

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kratky
Kraus	Kuessner	Lampe	Lembke	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walton	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zimmerman				

NOES: 017

Burnett	Dougherty	Frame	George	Holsman
Hughes	Komo	LeVota	Liese	Lowe 44
Skaggs	Talboy	Villa	Vogt	Whorton
Wright-Jones	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Daus	Johnson	Kingery	Low 39
McClanahan	Schneider	Spreng	Walsh	Wasson
Young	Zweifel	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Hobbs resumed the Chair.

### **THIRD READING OF HOUSE BILL - FEDERAL MANDATE**

**HCS HB 2041**, relating to confidential employment information, was taken up by Representative Fisher.

On motion of Representative Fisher, **HCS HB 2041** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch

Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Wells	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Corcoran	Daus	Johnson	Kingery
Low 39	Lowe 44	Meadows	Schneider	Spreng
Walsh	Walton	Wasson	Weter	Young
Zweifel				

VACANCIES: 002

Representative Hobbs declared the bill passed.

### THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 41**, relating to state court jurisdiction, was taken up by Representative Cunningham (86).

Speaker Pro Tem Pratt resumed the Chair.

Speaker Jetton assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock

Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

NOES: 063

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Brown 50	Cooper 155	Daus	Hughes
Johnson	Kingery	Kraus	Marsh	Schneider
Vogt	Yates	Young	Zweifel	

VACANCIES: 002

On motion of Representative Cunningham (86), **HCS HJR 41** was read the third time and passed by the following vote:

AYES: 082

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fisher	Franz	Funderburk	Grisamore
Hobbs	Hoskins	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Lembke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 068

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Donnelly	El-Amin	Fallert	Fares



Flook	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lipke	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Pollock	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Sutherland	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Daus	Guest	Johnson	Kingery
Kraus	Marsh	Vogt	Yates	Young
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Hobbs resumed the Chair.

### THIRD READING OF HOUSE BILLS

**HCS HB 1341**, relating to swimming pool liability, was taken up by Representative Ruestman.

On motion of Representative Ruestman, **HCS HB 1341** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda

Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Zimmerman	Mr Speaker		

NOES: 005

Burnett	Hughes	Komo	Skaggs	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Daus	Johnson	Kingery	Kraus
Marsh	Meadows	Self	Vogt	Walton
Yates	Young	Zweifel		

VACANCIES: 002

Representative Hobbs declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 128

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kratky	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Salva	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119

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Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Zimmerman	Mr Speaker		

NOES: 019

Brown 50	Burnett	Darrough	Fallert	Frame
George	Hughes	Komo	Kuessner	McClanahan
Nasheed	Quinn 9	Sander	Schieffer	Skaggs
Talboy	Todd	Whorton	Wildberger	

PRESENT: 001

Roorda

ABSENT WITH LEAVE: 013

Avery	Daus	El-Amin	Hunter	Johnson
Kingery	Kraus	Marsh	Vogt	Walton
Yates	Young	Zweifel		

VACANCIES: 002

**HB 1832**, relating to the Missouri County Planning Act, was taken up by Representative Cooper (120).

On motion of Representative Cooper (120), **HB 1832** was read the third time and passed by the following vote:

AYES: 127

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Oxford	Parkinson	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Villa	Wallace	Walsh	Wasson	Wildberger

Wilson 130	Wood	Wright 159	Wright-Jones	Yaeger
Zimmerman	Mr Speaker			

NOES: 020

Bringer	Darrough	Dethrow	Ervin	Franz
Kelly	Lipke	Onder	Pollock	Salva
Sander	Schoeller	Skaggs	Swinger	Todd
Viebrock	Wells	Whorton	Wilson 119	Witte

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Daus	Donnelly	Johnson	Kingery
Kraus	Marsh	Page	Vogt	Walton
Weter	Yates	Young	Zweifel	

VACANCIES: 002

Representative Hobbs declared the bill passed.

**HCS HB 1790**, relating to heart attack and stroke centers, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HCS HB 1790** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Jones 89	Jones 117	Kasten	Kelly
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson

Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 25	Cooper 120	Daus	Donnelly
El-Amin	Hunter	Johnson	Kingery	Kraus
Low 39	Lowe 44	Marsh	Meadows	Vogt
Yates	Young	Zweifel		

VACANCIES: 002

Representative Hobbs declared the bill passed.

**HCS HB 1393**, relating to motorcycle helmets, was taken up by Representative Dusenberg.

On motion of Representative Dusenberg, **HCS HB 1393** was read the third time and passed by the following vote:

AYES: 094

Aull	Baker 123	Brandom	Bringer	Brown 30
Bruns	Burnett	Chappelle-Nadal	Cooper 120	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Fallert	Fisher	Flook	Frame
Franz	Grill	Guest	Harris 110	Haywood
Hobbs	Holsman	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kelly	Komo
Kratky	Kuessner	Lembke	LeVota	Liese
Lipke	Loehner	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Parkinson	Parson	Pearce	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robinson	Ruestman
Ruzicka	Salva	Sander	Scavuzzo	Schad
Schoeller	Self	Shively	Silvey	Smith 150
Stevenson	Sutherland	Swinger	Talboy	Thomson
Tilley	Todd	Viebrock	Villa	Wallace
Wasson	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Mr Speaker	

NOES: 052

Baker 25	Bivins	Bland	Brown 50	Casey
Cooper 155	Corcoran	Curls	Darrough	Denison
Faith	Fares	Funderburk	Grisamore	Harris 23
Hodges	Hoskins	Kasten	Lampe	Lowe 44
May	McClanahan	Meadows	Meiners	Nasheed
Onder	Oxford	Page	Pollock	Robb
Roorda	Rucker	Sater	Schaaf	Scharnhorst
Schieffer	Schlottach	Schneider	Schoemehl	Skaggs

Smith 14	St. Onge	Storch	Stream	Threlkeld
Walsh	Walton	Wells	Weter	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Daus	Donnelly	El-Amin	George
Johnson	Kingery	Kraus	Low 39	Marsh
Spreng	Vogt	Yates	Young	Zweifel

VACANCIES: 002

Representative Hobbs declared the bill passed.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 43** - Special Committee on Job Creation and Economic Development

**HCR 46** - Special Committee on Job Creation and Economic Development

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1496** - Crime Prevention and Public Safety

**HB 1529** - Crime Prevention and Public Safety

**HB 1642** - Crime Prevention and Public Safety

**HB 1665** - Transportation

**HB 1673** - Special Committee on Tourism

**HB 1675** - Special Committee on Small Business

**HB 1680** - Special Committee on Small Business

**HB 1681** - Crime Prevention and Public Safety

**HB 1683** - Elementary and Secondary Education

**HB 1688** - Local Government

**HB 1693** - Higher Education

**HB 1697** - Higher Education

**HB 1719** - Elections

**HB 1720** - Health Care Policy

**HB 1721** - Special Committee on Energy and Environment

**HB 1734** - Local Government

**HB 1738** - Special Committee on Small Business

**HB 1740** - Local Government

**HB 1741** - Judiciary

**HB 1749** - Special Committee on Financial Institutions

**HB 1751** - Elementary and Secondary Education

**HB 1772** - Transportation

**HB 1817** - Crime Prevention and Public Safety  
**HB 1818** - Special Committee on General Laws  
**HB 1825** - Special Committee on Small Business  
**HB 1838** - Special Committee on Small Business  
**HB 1840** - Special Committee on Small Business  
**HB 1843** - Special Committee on Financial Institutions  
**HB 1860** - Special Committee on Energy and Environment  
**HB 1862** - Special Committee on Energy and Environment  
**HB 1871** - Special Committee on Senior Citizen Advocacy  
**HB 1873** - Special Committee on Small Business  
**HB 1908** - Transportation  
**HB 1920** - Special Committee on Small Business  
**HB 1924** - Special Committee on Small Business  
**HB 2097** - Special Committee on Small Business  
**HB 2103** - Special Committee on Small Business  
**HB 2138** - Special Committee on Small Business  
**HB 2152** - Special Committee on Urban Education Reform  
**HB 2153** - Local Government  
**HB 2162** - Special Committee on Financial Institutions  
**HB 2163** - Special Committee on Financial Institutions  
**HB 2242** - Health Care Policy  
**HB 2245** - Local Government  
**HB 2246** - Ways and Means  
**HB 2266** - Special Committee on General Laws  
**HB 2289** - Special Committee on Government Affairs  
**HB 2291** - Special Committee on Urban Issues  
**HB 2298** - Special Committee on Energy and Environment  
**HB 2304** - Elementary and Secondary Education  
**HB 2305** - Special Committee on General Laws  
**HB 2313** - Special Committee on Healthcare Transformation  
**HB 2322** - Special Committee on Urban Issues  
**HB 2324** - Crime Prevention and Public Safety  
**HB 2335** - Transportation  
**HB 2350** - Special Committee on Small Business  
**HB 2363** - Crime Prevention and Public Safety  
**HB 2364** - Judiciary  
**HB 2367** - Local Government  
**HB 2374** - Crime Prevention and Public Safety  
**HB 2375** - Special Committee on Urban Issues  
**HB 2385** - Special Committee on Small Business  
**HB 2401** - Special Committee on Professional Registration and Licensing  
**HB 2417** - Ways and Means  
**HB 2420** - Special Committee on General Laws  
**HB 2425** - Elections  
**HB 2426** - Special Committee on Small Business  
**HB 2433** - Special Committee on Small Business  
**HB 2434** - Judiciary

**HB 2435** - Special Committee on Healthcare Transformation  
**HB 2440** - Special Committee on Family Services  
**HB 2442** - Special Committee on Energy and Environment  
**HB 2444** - Special Committee on Senior Citizen Advocacy  
**HB 2447** - Local Government  
**HB 2455** - Special Committee on Homeland Security  
**HB 2461** - Ways and Means  
**HB 2468** - Special Committee on Utilities  
**HB 2474** - Local Government  
**HB 2479** - Special Committee on Veterans  
**HB 2481** - Elementary and Secondary Education  
**HB 2482** - Elementary and Secondary Education  
**HB 2484** - Special Committee on Small Business  
**HB 2491** - Judiciary  
**HB 2497** - Elections  
**HB 2511** - Transportation  
**HB 2514** - Special Committee on Rural Community Development  
**HB 2517** - Ways and Means  
**HB 2519** - Special Committee on Small Business  
**HB 2522** - Special Committee on Energy and Environment  
**HB 2535** - Special Committee on Urban Issues  
**HB 2536** - Transportation  
**HB 2567** - Judiciary  
**HB 2582** - Higher Education  
**HB 2583** - Special Committee on Tax Reform  
**HB 2590** - Corrections and Public Institutions  
**HB 2592** - Elections

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SCS SB 944** - Special Committee on Financial Institutions  
**SCS SB 967** - Higher Education  
**SB 979** - Ways and Means  
**SB 1068** - Health Care Policy  
**SB 1073** - Special Committee on Job Creation and Economic Development  
**SCS SB 1131** - Special Committee on Government Affairs  
**SCS SB 1209** - Ways and Means  
**SCS SB 1235** - Judiciary



## COMMITTEE REPORTS

**Committee on Agriculture Policy**, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCS SB 942**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 970**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 1339**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **HB 2239**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 2260**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 1009**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2156**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2159**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2191**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SBs 753, 728, 906 & 1026**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 760**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 841**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

#### **ADVANCEMENT OF HOUSE CONSENT BILL**

Pursuant to Rule 45(b), the following bill, having remained on the House Consent Calendar for Perfection for five legislative days, was ordered perfected and printed by consent with all committee substitutes and committee amendments thereto adopted and perfected by consent: **HB 1849**.

#### **INTRODUCTION OF HOUSE BILLS - APPROPRIATIONS**

The following House Bills were read the first time and copies ordered printed:

**HB 2016**, introduced by Representative Icet, to appropriate money for capital improvement and other purposes for several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, from the funds herein designated for the period beginning July 1, 2008 and ending June 30, 2009.

**HB 2023**, introduced by Representative Icet, to appropriate money for planning, expenses, and for capital improvements including, but not limited to, major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SJRs 34 & 30**, entitled:

### JOINT RESOLUTION

Submitting to the qualified voters of Missouri, and amendment repealing section 13 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to laws that are retrospective in operation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 761 & 774**, entitled:

An act to repeal sections 142.815, 260.750, 301.010, 301.040, 301.057, 301.058, 301.130, 301.140, 301.143, 301.218, 302.230, 302.272, 302.275, 302.321, 302.545, 302.700, 302.735, 302.755, 302.775, 304.016, 304.070, 304.079, 304.180, 304.230, 304.281, 306.016, 306.228, 306.535, 307.100, 307.179, 311.326, 390.071, 390.136, 430.082, 478.001, 577.023, 590.050, 622.095, and 643.340, RSMo, and to enact in lieu thereof sixty-one new sections relating to transportation, with penalty provisions, an effective date for certain sections, and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269**, entitled:

An act to repeal sections 8.283, 143.191, 172.360, 174.130, 178.635, 178.780, and 544.470, RSMo, and to enact in lieu thereof twenty-nine new sections relating to illegal immigrants, with penalty provisions, an effective date for certain sections and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 873**, entitled:

An act to repeal sections 172.030, 172.035, 172.040, and 172.060, RSMo, and to enact in lieu thereof four new sections relating to student curators.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 930 & 947**, entitled:

An act to repeal sections 144.805 and 305.230, RSMo, and to enact in lieu thereof two new sections relating to the state aviation trust fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1107**, entitled:

An act to repeal sections 304.157, 306.010, 306.015, 306.100, 306.111, 306.112, 306.114, 306.117, 306.124, 306.125, 306.132, 306.147, 306.163, 306.190, 306.221, 306.228, 565.024, 565.082, 577.023, and 577.080, RSMo, and to enact in lieu thereof twenty-one new sections relating to watercraft, with penalty provisions and an emergency clause for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2014**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2014, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2014.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2014.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2014, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Chuck Purgason  
/s/ Joan Bray  
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Bryan Stevenson  
/s/ Rachel Storch  
/s/ Shalonn Curls

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 4:00 p.m., Monday, April 7, 2008.

## CORRECTIONS TO THE HOUSE JOURNAL

Correct House Journal, Forty-sixth Day, Wednesday, April 2, 2008, Page 736, Lines 9-11, by deleting all of said lines and inserting in lieu thereof the following:

"**HCS HB 2082**, relating to the barber and cosmetology board, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HCS HB 2082** was read the third time and passed by the following vote:"

## AFFIDAVITS

I, State Representative Belinda Harris, District 110, hereby state and affirm that my vote as recorded on Page 679, to third read and pass House Bill No. 1368 of the House Journal for April 2, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of April 2008.

/s/ Belinda Harris  
State Representative

State of Missouri        )  
                                  ) ss.  
County of Miller        )

Subscribed and sworn to before me this 3rd day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

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I, State Representative Belinda Harris, District 110, hereby state and affirm that my vote as recorded on Page 689, to third read and pass House Bill No. 1426 of the House Journal for April 2, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 3rd day of April 2008.

/s/ Belinda Harris  
State Representative

State of Missouri            )  
                                      ) ss.  
County of Miller            )

Subscribed and sworn to before me this 3rd day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

## COMMITTEE MEETINGS

### ELECTIONS

Tuesday, April 8, 2008, 8:15 a.m. Hearing Room 5.  
Executive session may follow.  
Public hearings to be held on: SB 978, SB 1038

### FISCAL REVIEW

Tuesday, April 8, 2008, House Chamber south gallery upon afternoon adjournment.  
Public hearings to be held on: HCS HB 1929, HB 1319

### HEALTH CARE POLICY

Tuesday, April 8, 2008, 12:00 p.m. Hearing Room 5.  
Public hearings to be held on: HB 2242, SB 1068

### JOINT COMMITTEE ON CORRECTIONS

Wednesday, April 9, 2008, 8:30 a.m. Hearing Room 3.  
Continuation of Department of Corrections Report.  
Some portions of the meeting may be closed pursuant to Section 610.021.

### JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.  
Second quarter meeting.

### RULES - PURSUANT TO RULE 25(21)(f)

Monday, April 7, 2008, Hearing Room 1 upon afternoon adjournment.  
Executive session may follow.  
Public hearings to be held on: HCS HBs 2040 & 2430, HCS HBs 1831 & 1472,  
HB 1562, HCS SCS SB 830, HCS SB 885, SB 970, SCS SB 951, SB 999, SB 991,  
SCS SB 1009, HCR 25, HCR 5

### SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, April 8, 2008, Hearing Room 3 upon morning recess.  
Possible Executive session.  
Public hearings to be held on: HB 1892, HB 2443

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 8, 2008, 8:15 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SCS SB 806, SCS SB 1039

**SPECIAL COMMITTEE ON IMMIGRATION**

Monday, April 7, 2008, Hearing Room 6 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 1736, HB 2320

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, April 8, 2008, House Chamber north gallery upon morning recess.

Executive session only.

**HOUSE CALENDAR**

FORTY-EIGHTH DAY, MONDAY, APRIL 7, 2008

**HOUSE BILLS FOR SECOND READING - APPROPRIATIONS**

- 1 HB 2016
- 2 HB 2023

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 70 - Icet
- 2 HCS HJR 49 - Cox
- 3 HCS HJR 71 - Day

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HB 1550 - Stevenson
- 8 HCS HBs 1788 & 1882 - Day
- 9 HCS HB 1802 - Wilson (130)
- 10 HCS HB 1644 - Muschany
- 11 HCS HB 1332 - Sater
- 12 HB 1716 - Guest
- 13 HCS HB 2321 - Dixon
- 14 HCS HB 1813 - Dougherty
- 15 HB 1981 - Spreng
- 16 HCS HBs 1321 & 1695 - Sutherland

- 17 HB 1923 - Jones (117)
- 18 HCS HB 1649 - Franz
- 19 HCS#2 HB 1423 - St. Onge
- 20 HCS HBs 2062 & 1518 - Pearce
- 21 HCS HB 2328 - Wasson
- 22 HCS HB 1474 - Cunningham (86)
- 23 HCS HB 2250 - Sutherland
- 24 HB 1957 - Hughes
- 25 HB 1756 - Walton
- 26 HCS HB 2060 - Deeken
- 27 HB 2144 - Whorton
- 28 HB 1535 - Deeken
- 29 HB 1517 - Cox
- 30 HCS HB 2112 - Emery
- 31 HB 1372 - McGhee
- 32 HCS HBs 1549, 1771, 1395 & 2366 - Onder
- 33 HCS HB 1590 - Munzlinger
- 34 HCS HB 1504 - Walton

#### **HOUSE CONCURRENT RESOLUTION FOR THIRD READING**

HCR 23, (2-20-08, Page 294) - Dixon

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 1319, (Fiscal Review 4-2-08) - Brown (50)
- 2 HCS HB 1929, (Fiscal Review 4-2-08) - Cooper (120)

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz
- 3 HB 1849 - Curls

#### **SENATE JOINT RESOLUTION FOR SECOND READING**

SS SCS SJRs 34 & 30

#### **SENATE BILLS FOR SECOND READING**

- 1 SS SCS SBs 761 & 774
- 2 SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269
- 3 SCS SB 873
- 4 SCS SBs 930 & 947
- 5 SCS SB 1107



**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 30, (3-13-08, Pages 500-501) - Emery
- 8 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 9 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)

**BILL IN CONFERENCE**

CCR SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-EIGHTH DAY, MONDAY, APRIL 7, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, who is like You in all the earth: Glorious in holiness, awesome in splendor, performing great wonders?

These words are eternally recorded, "Give instruction to a wise man, and he will be still wiser; teach a righteous man, and he will increase in learning."

We acknowledge that wisdom is worth much more than precious jewels or anything else we could possibly desire. So we ask of You, this week, wisdom without boundaries, knowledge without interruption and understanding beyond normal scholarship.

And now, may You show us the incomparable riches of Your grace, that we might know that we are Your workmanship to do good works which You have prepared in advance for us to do.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Nathan Bowen.

The Journal of the forty-seventh day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1582 through House Resolution No. 1635

## SECOND READING OF HOUSE BILLS - APPROPRIATIONS

**HB 2016** and **HB 2023** were read the second time.

## SECOND READING OF SENATE JOINT RESOLUTION

**SS SCS SJRs 34 & 30** was read the second time.

**SECOND READING OF SENATE BILLS**

**SS SCS SBs 761 & 774, SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269, SCS SB 873, SCS SBs 930 & 947 and SCS SB 1107** were read the second time.

**THIRD READING OF HOUSE BILL - CONSENT**

**HB 1849**, relating to municipal zoning violation remedies, was taken up by Representative Curls.

On motion of Representative Curls, **HB 1849** was read the third time and passed by the following vote:

AYES: 113

Aull	Baker 25	Bivins	Brandom	Bringer
Brown 50	Casey	Chappelle-Nadal	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Day	Deeken
Denison	Dixon	Dougherty	Dusenberg	El-Amin
Fallert	Fares	Fisher	Flook	Frame
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Robinson
Roorda	Rucker	Ruzicka	Salva	Sater
Scavuzzo	Scharnhorst	Schieffer	Schlottach	Schneider
Schoemehl	Self	Shively	Silvey	Smith 150
Spreng	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Todd	Villa	Vogt	Wallace	Walsh
Whorton	Wildberger	Witte	Wright 159	Yaeger
Young	Zimmerman	Mr Speaker		

NOES: 023

Baker 123	Bruns	Davis	Dethrow	Emery
Ervin	Faith	Franz	Kratky	Pollock
Richard	Ruestman	Sander	Schad	Schoeller
Smith 14	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood		

PRESENT: 000

ABSENT WITH LEAVE: 025

Avery	Bland	Brown 30	Burnett	Cooper 120
Cooper 155	Corcoran	Darrough	Donnelly	George
Harris 23	Haywood	Hughes	Hunter	Marsh
McClanahan	Munzlinger	Page	Schaaf	Skaggs
Tilley	Walton	Wright-Jones	Yates	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### PERFECTION OF HOUSE BILL

**HCS HB 2321**, relating to voter registration, was taken up by Representative Dixon.

Representative Nieves assumed the Chair.

On motion of Representative Dixon, **HCS HB 2321** was adopted.

On motion of Representative Dixon, **HCS HB 2321** was ordered perfected and printed.

### THIRD READING OF HOUSE CONCURRENT RESOLUTION

**HCR 23**, relating to Ronald Reagan Day, was taken up by Representative Dixon.

On motion of Representative Dixon, **HCR 23** was read the third time and passed by the following vote:

AYES: 098

Baker 25	Baker 123	Bivins	Brandom	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Harris 110	Hobbs
Hoskins	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kraus
Lampe	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Swinger	Thomson	Threlkeld	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Mr Speaker		

NOES: 044

Aull	Bringer	Brown 50	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Fallert	Frame
Grill	Hodges	Holsman	Hubbard	Johnson
Komo	Kuessner	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Shively	Spreng
Storch	Talboy	Todd	Vogt	Walsh
Wildberger	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Bland	Brown 30	Burnett	Donnelly
Dougherty	El-Amin	George	Harris 23	Haywood
Hughes	Page	Schoemehl	Skaggs	Sutherland
Tilley	Walton	Wright-Jones	Zweifel	

VACANCIES: 002

Representative Nieves declared the bill passed.

## PERFECTION OF HOUSE BILL

**HB 1716**, relating to the Federal Real ID Act of 2005, was taken up by Representative Guest.

Representative Bringer offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Bill No. 1716, Section A, Page 1, Line 2, by inserting after all of said section the following:

"302.171. 1. Beginning July 1, 2005, the director shall verify that an applicant for a driver's license is lawfully present in the United States before accepting the application. The director shall not issue a driver's license for a period that exceeds an applicant's lawful presence in the United States. The director may establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license issued under this section. An application for a license shall be made upon an approved form furnished by the director. Every application shall state the full name, Social Security number, age, height, weight, color of eyes, sex, residence, mailing address of the applicant, and the classification for which the applicant has been licensed, and, if so, when and by what state, and whether or not such license has ever been suspended, revoked, or disqualified, and, if revoked, suspended or disqualified, the date and reason for such suspension, revocation or disqualification and whether the applicant is making a one dollar donation to promote an organ donation program as prescribed in subsection 2 of this section. A driver's license, nondriver's license, or instruction permit issued under this chapter shall contain the applicant's legal name as it appears on a birth certificate or as legally changed through marriage or court order. No name change by common usage based on common law shall be permitted. The application shall also contain such information as the director may require to enable the director to determine the applicant's qualification for driving a motor vehicle; and shall state whether or not the applicant has been convicted in this or any other state for violating the laws of this or any other state or any ordinance of any municipality, relating to driving without a license, careless driving, or driving while intoxicated, or failing to stop after an accident and disclosing the applicant's identity, or driving a motor vehicle without the owner's consent. The application shall contain a certification by the applicant as to the truth of the facts stated therein. Every person who applies for a license to operate a motor vehicle who is less than twenty-one years of age shall be provided with educational materials relating to the hazards of driving while intoxicated, including information on penalties imposed by law for violation of the

intoxication-related offenses of the state. Beginning January 1, 2001, if the applicant is less than eighteen years of age, the applicant must comply with all requirements for the issuance of an intermediate driver's license pursuant to section 302.178. For persons mobilized and deployed with the United States Armed Forces, an application under this subsection shall be considered satisfactory by the department of revenue if it is signed by a person who holds general power of attorney executed by the person deployed, provided the applicant meets all other requirements set by the director.

2. An applicant for a license may make a donation of one dollar to promote an organ donor program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the organ donor program fund established in sections 194.297 to 194.304, RSMo. Moneys in the organ donor program fund shall be used solely for the purposes established in sections 194.297 to 194.304, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall make available an informational booklet or other informational sources on the importance of organ donations to applicants for licensure as designed by the organ donation advisory committee established in sections 194.297 to 194.304, RSMo. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection and whether the applicant is interested in inclusion in the organ donor registry and shall also specifically inform the licensee of the ability to consent to organ donation by completing the form on the reverse of the license that the applicant will receive in the manner prescribed by subsection 6 of section 194.240, RSMo. The director shall notify the department of health and senior services of information obtained from applicants who indicate to the director that they are interested in registry participation, and the department of health and senior services shall enter the complete name, address, date of birth, race, gender and a unique personal identifier in the registry established in subsection 1 of section 194.304, RSMo.

3. An applicant for a license may make a donation of one dollar to promote a blindness education, screening and treatment program. The director of revenue shall collect the donations and deposit all such donations in the state treasury to the credit of the blindness education, screening and treatment program fund established in section 192.935, RSMo. Moneys in the blindness education, screening and treatment program fund shall be used solely for the purposes established in section 192.935, RSMo, except that the department of revenue shall retain no more than one percent for its administrative costs. The donation prescribed in this subsection is voluntary and may be refused by the applicant for the license at the time of issuance or renewal of the license. The director shall inquire of each applicant at the time the licensee presents the completed application to the director whether the applicant is interested in making the one dollar donation prescribed in this subsection.

4. Beginning July 1, 2005, the director shall deny the driving privilege of any person who commits fraud or deception during the examination process or who makes application for an instruction permit, driver's license, or nondriver's license which contains or is substantiated with false or fraudulent information or documentation, or who knowingly conceals a material fact or otherwise commits a fraud in any such application. The period of denial shall be one year from the effective date of the denial notice sent by the director. The denial shall become effective ten days after the date the denial notice is mailed to the person. The notice shall be mailed to the person at the last known address shown on the person's driving record. The notice shall be deemed received three days after mailing unless returned by the postal authorities. No such individual shall reapply for a driver's examination, instruction permit, driver's license, or nondriver's license until the period of denial is completed. No individual who is denied the driving privilege under this section shall be eligible for a limited driving privilege issued under section 302.309.

5. All appeals of denials under this section shall be made as required by section 302.311.

6. The period of limitation for criminal prosecution under this section shall be extended under subdivision (1) of subsection 3 of section 556.036, RSMo.

7. The director may promulgate rules and regulations necessary to administer and enforce this section. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to chapter 536, RSMo.

8. Notwithstanding any provisions of this chapter that requires an applicant to provide proof of lawful presence for renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, an applicant who is sixty-five years and older and who was previously issued a Missouri noncommercial driver's license, noncommercial instruction permit, or Missouri nondriver's license is exempt from showing proof of lawful presence.

**9. Notwithstanding any provision of this chapter, for the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's birth certificate along with another form of identification approved by the department of revenue, including, but not limited to, military identification or military discharge papers, shall constitute sufficient proof of lawful presence.**

**10.** Notwithstanding any other provision of this chapter, if an applicant does not meet the requirements of subsection 8 **or** 9 of this section and does not have the required documents to prove lawful presence, the department may issue a one-year driver's license renewal. This one-time renewal shall only be issued to an applicant who previously has held a Missouri noncommercial driver's license, noncommercial instruction permit, or nondriver's license for a period of fifteen years or more and who does not have the required documents to prove lawful presence. After the expiration of the one-year period, no further renewal shall be provided without the applicant producing proof of lawful presence."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Funderburk raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The point of order was withdrawn.

**HB 1716, with House Amendment No. 1, pending,** was laid over.

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 733** - Crime Prevention and Public Safety  
**SB 797** - Elections  
**SB 839** - Elementary and Secondary Education  
**SB 928** - Special Committee on Utilities  
**SB 932** - Crime Prevention and Public Safety  
**SB 956** - Conservation and Natural Resources  
**SB 976** - Judiciary  
**SB 980** - Special Committee on Retirement  
**SB 1016** - Judiciary  
**SCS SB 1033** - Judiciary  
**SB 1044** - Local Government  
**SB 1074** - Judiciary  
**SB 1135** - Local Government  
**SB 1140** - Special Committee on Government Affairs  
**SB 1149** - Elections  
**SCS SB 1150** - Special Committee on Government Affairs  
**SB 1151** - Judiciary  
**SCS SBs 1153, 1154, 1155 & 1156** - Special Committee on Retirement  
**SCS SB 1157** - Corrections and Public Institutions  
**SCS SB 1168** - Special Committee on Financial Institutions  
**SB 1175** - Special Committee on Government Affairs  
**SB 1177** - Special Committee on Professional Registration and Licensing  
**SB 1187** - Special Committee on State Parks and Waterways  
**SB 1190** - Professional Registration and Licensing

**SCS SB 1261** - Special Committee on Energy and Environment  
**SB 1288** - Elections

### **COMMITTEE REPORTS**

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 2059**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Health Insurance**, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 1990**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 5**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 25**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1562**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1831 & 1472**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 2 ½ hours for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 2040 & 2430**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 830**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 970**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 951**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 991**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.



Mr. Speaker: Your Committee on Rules, to which was referred **SB 999**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1009**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

## COMMUNICATION

April 7, 2008

Mr. D. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol - Room 306C  
Jefferson City, MO 65101

RE: Possible Personal Interest in Legislation

Dear Chief Clerk Crumbliss,

Pursuant to Section 105.461, RSMo, I am hereby filing a written letter of a possible interest in legislation that may be voted on during this legislative session.

As an employee on the administrative side of Lindenwood University, I deal with processing government grants, scholarships, and the majority of student loans for my assigned students from Lindenwood University. One of the main requirements of my job is to make sure that the students receive the best possible grants, scholarships, or student loans they qualify for. Possible legislation regarding grants, scholarships and student loans could impact certain aspects of my employment that could come to the Missouri House of Representatives.

In compliance with Section 105.461, RSMo, would you please publish this letter in the Missouri House of Representatives Journal? If you have any questions, please call my office and I will be more than happy to answer them for you. Thank you for your time and help in this matter.

Respectfully yours,

/s/ Rep. Joe Smith

The following member's presence was noted: Walton.

## ADJOURNMENT

On motion of Representative Self, the House adjourned until 10:00 a.m., Tuesday, April 8, 2008.

## CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Forty-seventh Day, Thursday, April 3, 2008, Page 774, Line 28, by deleting all of said line.

## **COMMITTEE MEETINGS**

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 9, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 2254, SCS SB 907

### **CORRECTIONS AND PUBLIC INSTITUTIONS**

Tuesday, April 8, 2008, Hearing Room 4 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: HB 2202, HB 2590, SB 1010

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, April 8, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1525

### **ELECTIONS**

Tuesday, April 8, 2008, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: SB 978, SB 1038

### **FISCAL REVIEW**

Tuesday, April 8, 2008, House Chamber south gallery upon afternoon adjournment.

**CORRECTED.**

Public hearings to be held on: HCS HB 1929, HB 1319

### **HEALTH CARE POLICY**

Tuesday, April 8, 2008, 12:00 p.m. Hearing Room 5.

Public hearings to be held on: HB 2242, SB 1068

### **HIGHER EDUCATION**

Wednesday, April 9, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 1979, HB 2582, SCS SB 967

### **JOINT COMMITTEE ON CORRECTIONS**

Wednesday, April 9, 2008, 8:30 a.m. Hearing Room 3.

Continuation of Department of Corrections Report.

Some portions of the meeting may be closed pursuant to Section 610.021.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

**JUDICIARY**

Tuesday, April 8, 2008, Hearing Room 1 upon morning recess.

Executive session may follow. AMENDED

Public hearings to be held on: HB 1361, HB 1629, HB 1641, SCS SB 781, SB 953

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 8, 2008, Hearing Room 3 upon morning recess.

Possible Executive session.

Public hearings to be held on: HB 1892, HB 2443

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, April 9, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 2440

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, April 8, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1411, HB 2266, HB 2446, HB 2496

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 8, 2008, 8:15 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: SCS SB 806, SCS SB 1039

**SPECIAL COMMITTEE ON HEALTH INSURANCE**

Tuesday, April 8, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session.

Public hearings to be held on: HB 1918, SCS SB 1008

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 9, 2008, Hearing Room 6 upon morning recess.

Executive session may follow.

Committee will discuss proposed committee substitute for Insure Missouri.

If needed, Committee will reconvene in HR 4 upon afternoon adjournment.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 9, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2421, HCR 43, HCR 46, HB 2377, SB 1073

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 9, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2109, HB 2458

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, April 8, 2008, Hearing Room 4, 12:15 p.m. or upon morning recess.

Executive session may follow. AMENDED.

Public hearing to be held on: HB 2583

**SPECIAL COMMITTEE ON TICKET TO WORK**

Tuesday, April 8, 2008, 12:00 p.m. Hearing Room 7. CORRECTED.

Public hearing to be held on: HB 2354

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, April 8, 2008, House Chamber north gallery upon morning recess.

Executive session only.

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, April 9, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

PSC presentation by Chairman Davis, RE: Missouri's energy future.

Public hearing to be held on: HB 2468

**TRANSPORTATION**

Tuesday, April 8, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2335, HB 1772, HB 1908, SB 936, SB 856, SB 955

**HOUSE CALENDAR**

FORTY-NINTH DAY, TUESDAY, APRIL 8, 2008

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 70 - Icet
- 2 HCS HJR 49 - Cox
- 3 HCS HJR 71 - Fisher

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HB 1550 - Stevenson
- 8 HCS HBs 1788 & 1882 - Day
- 9 HCS HB 1802 - Wilson (130)
- 10 HCS HB 1644 - Muschany
- 11 HCS HB 1332 - Sater

- 12 HB 1716, HA 1, pending - Guest
- 13 HCS HB 1813 - Dougherty
- 14 HB 1981 - Spreng
- 15 HCS HBs 1321 & 1695 - Sutherland
- 16 HB 1923 - Jones (117)
- 17 HCS HB 1649 - Franz
- 18 HCS#2 HB 1423 - St. Onge
- 19 HCS HBs 2062 & 1518 - Pearce
- 20 HCS HB 2328 - Wasson
- 21 HCS HB 1474 - Cunningham (86)
- 22 HCS HB 2250 - Sutherland
- 23 HB 1957 - Hughes
- 24 HB 1756 - Walton
- 25 HCS HB 2060 - Deeken
- 26 HB 2144 - Whorton
- 27 HB 1535 - Deeken
- 28 HB 1517 - Cox
- 29 HCS HB 2112 - Emery
- 30 HB 1372 - McGhee
- 31 HCS HBs 1549, 1771, 1395 & 2366 - Onder
- 32 HCS HB 1590 - Munzlinger
- 33 HCS HB 1504 - Walton
- 34 HCS HBs 2040 & 2430 - Jetton

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 1319, (Fiscal Review 4-2-08) - Brown (50)
- 2 HCS HB 1929, (Fiscal Review 4-2-08) - Cooper (120)

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 30, (3-13-08, Pages 500-501) - Emery
- 8 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 9 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)

**SENATE BILL FOR THIRD READING**

SB 1066 - Muschany

**BILL IN CONFERENCE**

CCR SCS HCS HB 2014 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FORTY-NINTH DAY, TUESDAY, APRIL 8, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

We praise and thank You for creating us in Your image and likeness with great powers of intellect, judgment and decision. Inspire all the voters in our State to use these powers today by conscientiously casting their ballots. By the careful thought and good will of all, may we together advance the common good this day.

O Lord, we pray today also for our Nation, as our Congress considers the situation in Iraq. Protect our armed forces there. Receive the sacrifice of those who have died. Give clarity of mind to those who listen to the reports in Washington, D. C., that they may discern all aspects of the truth. Guide those who make final decisions regarding Iraq and all our involvements in the Middle East to make choices that are in harmony with Your divine will.

To You, our God, be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Harper Alexander Yates, Louis Lipari, Antony Cherian, Tanner Burns and Krissy Gooch.

The Journal of the forty-eighth day was approved as printed.

## **SPECIAL RECOGNITION**

Missouri Department of Transportation (MoDOT) maintenance crew workers were introduced by Representatives Pearce, Loehner and Schlottach and recognized for their outstanding service to the State of Missouri.

## **BILL IN CONFERENCE**

**CCR SCS HCS HB 2014**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 2014** was adopted by the following vote:

AYES: 143

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Young	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 017

Avery	Baker 25	Bland	Burnett	Cooper 155
George	Harris 23	Haywood	Johnson	Low 39
Lowe 44	Meadows	Sater	Walton	Wright-Jones
Yates	Zweifel			

VACANCIES: 002



On motion of Representative Icet, **CCS SCS HCS HB 2014** was read the third time and passed by the following vote:

AYES: 142

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Casey	Chappelle-Nadal	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Spreng	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Young
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 018

Avery	Baker 25	Bland	Bruns	Burnett
Cooper 120	Cooper 155	Corcoran	George	Harris 23
Haywood	Johnson	Meadows	Sater	Walton
Wright-Jones	Yates	Zweifel		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HOUSE CONCURRENT RESOLUTION**

**HCR 30**, relating to regulation of voice communications, was taken up by Representative Emery.

On motion of Representative Emery, **HCR 30** was adopted by the following vote:

AYES: 145

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 25	Bland	Bruns	Burnett
Corcoran	Frame	George	Harris 23	Haywood
Johnson	Meadows	Schneider	Walton	Wright-Jones
Yates				

VACANCIES: 002

## PERFECTION OF HOUSE BILLS

**HB 1923**, relating to corporate filings, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1923** was ordered perfected and printed.

**HB 1981**, relating to a tax credit for certain vehicles, was taken up by Representative Spreng.

On motion of Representative Spreng, **HB 1981** was ordered perfected and printed.

**HCS HBs 1321 & 1695**, relating to a property tax credit, was taken up by Representative Sutherland.

Representative Smith (150) assumed the Chair.

Representative Bringer offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1321 & 1695, Section 135.030, Page 5, Line 36, by inserting after all of said section and line the following:

"137.122. 1. As used in this section, the following terms mean:

(1) "Business personal property", tangible personal property which is used in a trade or business or used for production of income and which has a determinable life of longer than one year except that supplies used by a business shall also be considered business personal property, but shall not include livestock, farm machinery, grain and other agricultural crops in an unmanufactured condition, property subject to the motor vehicle registration provisions of chapter 301, RSMo, property assessed under section 137.078, the property of rural electric cooperatives under chapter 394, RSMo, or property assessed by the state tax commission under chapters 151, 153, and 155, RSMo, section 137.022, and sections 137.1000 to 137.1030;

(2) "Class life", the class life of property as set out in the federal Modified Accelerated Cost Recovery System life tables or their successors under the Internal Revenue Code as amended;

(3) "Economic or functional obsolescence", a loss in value of personal property above and beyond physical deterioration and age of the property. Such loss may be the result of economic or functional obsolescence or both;

(4) "Original cost", the price the current owner, the taxpayer, paid for the item without freight, installation, or sales or use tax. In the case of acquisition of items of personal property as part of an acquisition of an entity, the original cost shall be the historical cost of those assets remaining in place and in use and the placed in service date shall be the date of acquisition by the entity being acquired;

(5) "Placed in service", property is placed in service when it is ready and available for a specific use, whether in a business activity, an income-producing activity, a tax-exempt activity, or a personal activity. Even if the property is not being used, the property is in service when it is ready and available for its specific use;

(6) "Recovery period", the period over which the original cost of depreciable tangible personal property shall be depreciated for property tax purposes and shall be the same as the recovery period allowed for such property under the Internal Revenue Code.

2. To establish uniformity in the assessment of depreciable tangible personal property, each assessor shall use the standardized schedule of depreciation in this section to determine the assessed valuation of depreciable tangible personal property for the purpose of estimating the value of such property subject to taxation under this chapter.

3. For purposes of this section, and to estimate the value of depreciable tangible personal property for mass appraisal purposes, each assessor shall value depreciable tangible personal property by applying the class life and recovery period to the original cost of the property according to the following depreciation schedule. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Recovery Period in Years					
	3	5	7	10	15	20
1	75.00	85.00	89.29	92.50	95.00	96.25
2	37.50	59.50	70.16	78.62	85.50	89.03
3	12.50	41.65	55.13	66.83	76.95	82.35
4	5.00	24.99	42.88	56.81	69.25	76.18
5		10.00	30.63	48.07	62.32	70.46
6			18.38	39.33	56.09	65.18
7			10.00	30.59	50.19	60.29
8				21.85	44.29	55.77
9				15.00	38.38	51.31
10					32.48	46.85
11					26.57	42.38
12					20.67	37.92
13					15.00	33.46
14						29.00
15						24.54
16						20.08
17						20.00

Depreciable tangible personal property in all recovery periods shall continue in subsequent years to have the depreciation factor last listed in the appropriate column so long as it is owned or held by the taxpayer. The state tax commission shall study and analyze the values established by this method of assessment and in every odd-numbered year make recommendations to the joint committee on tax policy pertaining to any changes in this methodology, if any, that are warranted.

4. Such estimate of value determined under this section shall be presumed to be correct for the purpose of determining the true value in money of the depreciable tangible personal property, but such estimation may be disproved by substantial and persuasive evidence of the true value in money under any method determined by the state tax commission to be correct, including, but not limited to, an appraisal of the tangible personal property specifically utilizing generally accepted appraisal techniques, and contained in a narrative appraisal report in accordance with the Uniform Standards of Professional Appraisal Practice or by proof of economic or functional obsolescence or evidence of excessive physical deterioration. For purposes of appeal of the provisions of this section, the salvage or scrap value of depreciable tangible personal property may only be considered if the property is not in use as of the assessment date.

5. This section shall not apply to business personal property placed in service before January 2, 2006. **Nothing in this section shall be found to create a presumption as to the proper method of determining the assessed valuation of business personal property placed in service before January 2, 2006.**

6. The provisions of this section are not intended to modify the definition of tangible personal property as defined in section 137.010."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 1** was adopted.

Representative Cooper (120) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1321 & 1695, Section 137.720, Page 6, Line 37, by inserting after all of said section, the following:

"143.121. 1. The Missouri adjusted gross income of a resident individual shall be the taxpayer's federal adjusted gross income subject to the modifications in this section.

2. There shall be added to the taxpayer's federal adjusted gross income:

(a) The amount of any federal income tax refund received for a prior year which resulted in a Missouri income tax benefit;

(b) Interest on certain governmental obligations excluded from federal gross income by Section 103 of the Internal Revenue Code. The previous sentence shall not apply to interest on obligations of the state of Missouri or any of its political subdivisions or authorities and shall not apply to the interest described in subdivision (a) of subsection 3 of this section. The amount added pursuant to this paragraph shall be reduced by the amounts applicable to such interest that would have been deductible in computing the taxable income of the taxpayer except only for the application of Section 265 of the Internal Revenue Code. The reduction shall only be made if it is at least five hundred dollars;

(c) The amount of any deduction that is included in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002 to the extent the amount deducted relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent the amount deducted exceeds the amount that would have been deductible pursuant to Section 168 of the Internal Revenue Code of 1986 as in effect on January 1, 2002;

(d) The amount of any deduction that is included in the computation of federal taxable income for net operating loss allowed by Section 172 of the Internal Revenue Code of 1986, as amended, other than the deduction allowed by Section 172(b)(1)(G) and Section 172(i) of the Internal Revenue Code of 1986, as amended, for a net operating loss the taxpayer claims in the tax year in which the net operating loss occurred or carries forward for a period of more than twenty years and carries backward for more than two years. Any amount of net operating loss taken against federal taxable income but disallowed for Missouri income tax purposes pursuant to this paragraph after June 18, 2002, may be carried forward and taken against any income on the Missouri income tax return for a period of not more than twenty years from the year of the initial loss; and

(e) For nonresident individuals in all taxable years ending on or after December 31, 2006, the amount of any property taxes paid to another state or a political subdivision of another state for which a deduction was allowed on such nonresident's federal return in the taxable year **unless such state, political subdivision of another state, or the District of Columbia allows a subtraction from income for property taxes paid to this state for purposes of calculating income for the income tax for such state, political subdivision of another state, or the District of Columbia.**

3. There shall be subtracted from the taxpayer's federal adjusted gross income the following amounts to the extent included in federal adjusted gross income:

(a) Interest or dividends on obligations of the United States and its territories and possessions or of any authority, commission or instrumentality of the United States to the extent exempt from Missouri income taxes pursuant to the laws of the United States. The amount subtracted pursuant to this paragraph shall be reduced by any interest on indebtedness incurred to carry the described obligations or securities and by any expenses incurred in the production of interest or dividend income described in this paragraph. The reduction in the previous sentence shall only apply to the extent that such expenses including amortizable bond premiums are deducted in determining the taxpayer's federal adjusted gross income or included in the taxpayer's Missouri itemized deduction. The reduction shall only be made if the expenses total at least five hundred dollars;

(b) The portion of any gain, from the sale or other disposition of property having a higher adjusted basis to the taxpayer for Missouri income tax purposes than for federal income tax purposes on December 31, 1972, that does not exceed such difference in basis. If a gain is considered a long-term capital gain for federal income tax purposes, the modification shall be limited to one-half of such portion of the gain;

(c) The amount necessary to prevent the taxation pursuant to this chapter of any annuity or other amount of income or gain which was properly included in income or gain and was taxed pursuant to the laws of Missouri for a taxable year prior to January 1, 1973, to the taxpayer, or to a decedent by reason of whose death the taxpayer acquired the right to receive the income or gain, or to a trust or estate from which the taxpayer received the income or gain;

(d) Accumulation distributions received by a taxpayer as a beneficiary of a trust to the extent that the same are included in federal adjusted gross income;

(e) The amount of any state income tax refund for a prior year which was included in the federal adjusted gross income;

(f) The portion of capital gain specified in section 135.357, RSMo, that would otherwise be included in federal adjusted gross income;

(g) The amount that would have been deducted in the computation of federal taxable income pursuant to Section 168 of the Internal Revenue Code as in effect on January 1, 2002, to the extent that amount relates to property purchased on or after July 1, 2002, but before July 1, 2003, and to the extent that amount exceeds the amount actually deducted pursuant to Section 168 of the Internal Revenue Code as amended by the Job Creation and Worker Assistance Act of 2002;

(h) For all tax years beginning on or after January 1, 2005, the amount of any income received for military service while the taxpayer serves in a combat zone which is included in federal adjusted gross income and not otherwise excluded therefrom. As used in this section, "combat zone" means any area which the President of the United States

by Executive Order designates as an area in which armed forces of the United States are or have engaged in combat. Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combat activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; and

(i) For all tax years ending on or after July 1, 2002, with respect to qualified property that is sold or otherwise disposed of during a taxable year by a taxpayer and for which an addition modification was made under paragraph (c) of subsection 2 of this section, the amount by which addition modification made under paragraph (c) of subsection 2 of this section on qualified property has not been recovered through the additional subtractions provided in paragraph (g) of this subsection.

4. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the taxpayer's share of the Missouri fiduciary adjustment provided in section 143.351.

5. There shall be added to or subtracted from the taxpayer's federal adjusted gross income the modifications provided in section 143.411.

6. In addition to the modifications to a taxpayer's federal adjusted gross income in this section, to calculate Missouri adjusted gross income there shall be subtracted from the taxpayer's federal adjusted gross income any gain recognized pursuant to Section 1033 of the Internal Revenue Code of 1986, as amended, arising from compulsory or involuntary conversion of property as a result of condemnation or the imminence thereof.

7. (1) As used in this subsection, "qualified health insurance premium" means the amount paid during the tax year by such taxpayer for any insurance policy primarily providing health care coverage for the taxpayer, the taxpayer's spouse, or the taxpayer's dependents.

(2) In addition to the subtractions in subsection 3 of this section, one hundred percent of the amount of qualified health insurance premiums shall be subtracted from the taxpayer's federal adjusted gross income to the extent the amount paid for such premiums is included in federal taxable income. The taxpayer shall provide the department of revenue with proof of the amount of qualified health insurance premiums paid."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 2** was adopted.

Representative Lembke offered **House Amendment No. 3**.

Representative Zweifel raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Smith (150) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Davis offered **House Amendment No. 4**.

#### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 1321 & 1695, Page 1, In the Title, Line 2, by inserting after the section number "135.030," the section number "137.073"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "four" and inserting in lieu thereof the word "five"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after the section number "135.030," the section number "137.073"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting all of said lines and inserting in lieu thereof the following:

"five new sections enacted in lieu thereof, to be known as sections 135.010, 135.025, 135.030, 137.073,"; and

Further amend said bill, Page 5, Section 135.030, Line 36, by inserting after all of said line the following:

"137.073. 1. As used in this section, the following terms mean:

(1) "General reassessment", changes in value, entered in the assessor's books, of a substantial portion of the parcels of real property within a county resulting wholly or partly from reappraisal of value or other actions of the assessor or county equalization body or ordered by the state tax commission or any court;

(2) "Tax rate", "rate", or "rate of levy", singular or plural, includes the tax rate for each purpose of taxation of property a taxing authority is authorized to levy without a vote and any tax rate authorized by election, including bond interest and sinking fund;

(3) "Tax rate ceiling", [a] **the tax rate [as revised] used by the taxing authority [to comply with the provisions of this section or when a court has determined] in the preceding year or the tax rate determined by a court;** except that, other provisions of law to the contrary notwithstanding, a school district may levy the operating levy for school purposes required for the current year pursuant to subsection 2 of section 163.021, RSMo, less all adjustments required pursuant to article X, section 22 of the Missouri Constitution, if such tax rate does not exceed the highest tax rate in effect subsequent to the 1980 tax year, **provided that all levy assessments shall begin from the preceding year's tax rate.** This is the maximum tax rate that may be levied, unless a higher tax rate ceiling is approved by voters of the political subdivision as provided in this section;

(4) "Tax revenue", when referring to the previous year, means the actual receipts from ad valorem levies on all classes of property, including state-assessed property, in the immediately preceding fiscal year of the political subdivision, plus an allowance for taxes billed but not collected in the fiscal year and plus an additional allowance for the revenue which would have been collected from property which was annexed by such political subdivision but which was not previously used in determining tax revenue pursuant to this section. The term "tax revenue" shall not include any receipts from ad valorem levies on any property of a railroad corporation or a public utility, as these terms are defined in section 386.020, RSMo, which were assessed by the assessor of a county or city in the previous year but are assessed by the state tax commission in the current year. All school districts and those counties levying sales taxes pursuant to chapter 67, RSMo, shall include in the calculation of tax revenue an amount equivalent to that by which they reduced property tax levies as a result of sales tax pursuant to section 67.505, RSMo, and section 164.013, RSMo, or as excess home dock city or county fees as provided in subsection 4 of section 313.820, RSMo, in the immediately preceding fiscal year but not including any amount calculated to adjust for prior years. For purposes of political subdivisions which were authorized to levy a tax in the prior year but which did not levy such tax or levied a reduced rate, the term "tax revenue", as used in relation to the revision of tax levies mandated by law, shall mean the revenues equal to the amount that would have been available if the voluntary rate reduction had not been made.

2. Whenever changes in assessed valuation are entered in the assessor's books for any personal property, in the aggregate, or for any subclass of real property as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, the county clerk in all counties and the assessor of St. Louis City shall notify each political subdivision wholly or partially within the county or St. Louis City of the change in valuation of each subclass of real property, individually, and personal property, in the aggregate, exclusive of new construction and improvements. All political subdivisions shall immediately revise the applicable rates of levy for each purpose for each subclass of real property, individually, and personal property, in the aggregate, for which taxes are levied to the extent necessary to produce from all taxable property, exclusive of new construction and improvements, substantially the same amount of tax revenue as was produced in the previous year for each subclass of real property, individually, and personal property, in the aggregate, except that the rate may not exceed the greater of the rate in effect in the 1984 tax year or the [most recent voter-approved] **preceding year's tax rate.** Such tax revenue shall not include any receipts from ad valorem levies on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property. Where the taxing authority is a school district for the purposes of revising the applicable rates of levy for each subclass of real property, the tax revenues from state-assessed railroad and utility property shall be apportioned and attributed to each subclass of real property based on the percentage of the total assessed valuation of the county that each subclass of real property represents in the current taxable year. As provided in section 22 of article X of the constitution, a political subdivision may also revise each levy to allow for inflationary assessment growth occurring within the political subdivision. The inflationary growth factor for any such subclass of real property or personal property shall be limited

to the actual assessment growth in such subclass or class, exclusive of new construction and improvements, and exclusive of the assessed value on any real property which was assessed by the assessor of a county or city in the current year in a different subclass of real property, but not to exceed the consumer price index or five percent, whichever is lower. Should the tax revenue of a political subdivision from the various tax rates determined in this subsection be different than the tax revenue that would have been determined from a single tax rate as calculated pursuant to the method of calculation in this subsection prior to January 1, 2003, then the political subdivision shall revise the tax rates of those subclasses of real property, individually, and/or personal property, in the aggregate, in which there is a tax rate reduction, pursuant to the provisions of this subsection. Such revision shall yield an amount equal to such difference and shall be apportioned among such subclasses of real property, individually, and/or personal property, in the aggregate, based on the relative assessed valuation of the class or subclasses of property experiencing a tax rate reduction. Such revision in the tax rates of each class or subclass shall be made by computing the percentage of current year adjusted assessed valuation of each class or subclass with a tax rate reduction to the total current year adjusted assessed valuation of the class or subclasses with a tax rate reduction, multiplying the resulting percentages by the revenue difference between the single rate calculation and the calculations pursuant to this subsection and dividing by the respective adjusted current year assessed valuation of each class or subclass to determine the adjustment to the rate to be levied upon each class or subclass of property. The adjustment computed herein shall be multiplied by one hundred, rounded to four decimals in the manner provided in this subsection, and added to the initial rate computed for each class or subclass of property. Notwithstanding any provision of this subsection to the contrary, no revision to the rate of levy for personal property shall cause such levy to increase over the levy for personal property from the prior year.

3. (1) Where the taxing authority is a school district, it shall be required to revise the rates of levy **from the preceding year's tax rate** to the extent necessary to produce from all taxable property, including state-assessed railroad and utility property, which shall be separately estimated in addition to other data required in complying with section 164.011, RSMo, substantially the amount of tax revenue permitted in this section. In the year following tax rate reduction, the tax rate ceiling may be adjusted to offset such district's reduction in the apportionment of state school moneys due to its reduced tax rate. However, in the event any school district, in calculating a tax rate ceiling pursuant to this section, requiring the estimating of effects of state-assessed railroad and utility valuation or loss of state aid, discovers that the estimates used result in receipt of excess revenues, which would have required a lower rate if the actual information had been known, the school district shall reduce the tax rate ceiling in the following year to compensate for the excess receipts, and the recalculated rate shall become the tax rate ceiling for purposes of this section.

(2) For any political subdivision which experiences a reduction in the amount of assessed valuation relating to a prior year, due to decisions of the state tax commission or a court pursuant to sections 138.430 to 138.433, RSMo, or due to clerical errors or corrections in the calculation or recordation of any assessed valuation:

(a) Such political subdivision may revise the tax rate ceiling for each purpose it levies taxes to compensate for the reduction in assessed value occurring after the political subdivision calculated the tax rate ceiling for the particular subclass of real property or for personal property, in the aggregate, in the prior year. Such revision by the political subdivision shall be made at the time of the next calculation of the tax rate for the particular subclass of real property or for personal property, in the aggregate, after the reduction in assessed valuation has been determined and shall be calculated in a manner that results in the revised tax rate ceiling being the same as it would have been had the corrected or finalized assessment been available at the time of the prior calculation;

(b) In addition, for up to three years following the determination of the reduction in assessed valuation as a result of circumstances defined in this subdivision, such political subdivision may levy a tax rate for each purpose it levies taxes above the revised tax rate ceiling provided in paragraph (a) of this subdivision to recoup any revenues it was entitled to receive for the three-year period preceding such determination.

4. (1) In order to implement the provisions of this section and section 22 of article X of the Constitution of Missouri, the term "improvements" shall apply to both real and personal property. In order to determine the value of new construction and improvements, each county assessor shall maintain a record of real property valuations in such a manner as to identify each year the increase in valuation for each political subdivision in the county as a result of new construction and improvements. The value of new construction and improvements shall include the additional assessed value of all improvements or additions to real property which were begun after and were not part of the prior year's assessment, except that the additional assessed value of all improvements or additions to real property which had been totally or partially exempt from ad valorem taxes pursuant to sections 99.800 to 99.865, RSMo, sections 135.200 to 135.255, RSMo, and section 353.110, RSMo, shall be included in the value of new construction and improvements when the property becomes totally or partially subject to assessment and payment of all ad valorem taxes. The aggregate increase in valuation of personal property for the current year over that of the previous year is the equivalent of the new construction and improvements factor for personal property. Notwithstanding any opt-out implemented pursuant to subsection 15 of section 137.115, the assessor shall certify the amount of new construction and improvements and the



amount of assessed value on any real property which was assessed by the assessor of a county or city in such previous year but is assessed by the assessor of a county or city in the current year in a different subclass of real property separately for each of the three subclasses of real property for each political subdivision to the county clerk in order that political subdivisions shall have this information for the purpose of calculating tax rates pursuant to this section and section 22, article X, Constitution of Missouri. In addition, the state tax commission shall certify each year to each county clerk the increase in the general price level as measured by the Consumer Price Index for All Urban Consumers for the United States, or its successor publications, as defined and officially reported by the United States Department of Labor, or its successor agency. The state tax commission shall certify the increase in such index on the latest twelve-month basis available on June first of each year over the immediately preceding prior twelve-month period in order that political subdivisions shall have this information available in setting their tax rates according to law and section 22 of article X of the Constitution of Missouri. For purposes of implementing the provisions of this section and section 22 of article X of the Missouri Constitution, the term "property" means all taxable property, including state-assessed property.

(2) Each political subdivision required to revise rates of levy pursuant to this section or section 22 of article X of the Constitution of Missouri shall calculate each tax rate it is authorized to levy and, in establishing each tax rate, shall consider each provision for tax rate revision provided in this section and section 22 of article X of the Constitution of Missouri, separately and without regard to annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo. Each political subdivision shall set each tax rate it is authorized to levy using the calculation that produces the lowest tax rate ceiling. It is further the intent of the general assembly, pursuant to the authority of section 10(c) of article X of the Constitution of Missouri, that the provisions of such section be applicable to tax rate revisions mandated pursuant to section 22 of article X of the Constitution of Missouri as to reestablishing tax rates as revised in subsequent years, enforcement provisions, and other provisions not in conflict with section 22 of article X of the Constitution of Missouri. Annual tax rate reductions provided in section 67.505, RSMo, and section 164.013, RSMo, shall be applied to the tax rate as established pursuant to this section and section 22 of article X of the Constitution of Missouri, unless otherwise provided by law.

5. (1) In all political subdivisions, the tax rate ceiling established pursuant to this section shall not be increased unless approved by a vote of the people. Approval of the higher tax rate shall be by at least a majority of votes cast. When a proposed higher tax rate requires approval by more than a simple majority pursuant to any provision of law or the constitution, the tax rate increase must receive approval by at least the majority required.

(2) When voters approve an increase in the tax rate, the amount of the increase shall be added to the tax rate ceiling as calculated pursuant to this section to the extent the total rate does not exceed any maximum rate prescribed by law. **The amount of revenue received from the voter-approved increase in the tax rate shall not exceed the revenue derived by applying the levy increase to the preceding year's assessed valuation as certified by the state tax commission.** If a ballot question presents a stated tax rate for approval rather than describing the amount of increase in the question, the stated tax rate approved shall be the current tax rate ceiling. The increased tax rate ceiling as approved may be applied to the total assessed valuation of the political subdivision at the setting of the next tax rate.

(3) The governing body of any political subdivision may levy a tax rate lower than its tax rate ceiling [and may increase that lowered tax rate to a level not exceeding the tax rate ceiling without voter approval].

6. (1) For the purposes of calculating state aid for public schools pursuant to section 163.031, RSMo, each taxing authority which is a school district shall determine its proposed tax rate as a blended rate of the classes or subclasses of property. Such blended rate shall be calculated by first determining the total tax revenue of the property within the jurisdiction of the taxing authority, which amount shall be equal to the sum of the products of multiplying the assessed valuation of each class and subclass of property by the corresponding tax rate for such class or subclass, then dividing the total tax revenue by the total assessed valuation of the same jurisdiction, and then multiplying the resulting quotient by a factor of one hundred. Where the taxing authority is a school district, such blended rate shall also be used by such school district for calculating revenue from state-assessed railroad and utility property as defined in chapter 151, RSMo, and for apportioning the tax rate by purpose.

(2) Each taxing authority proposing to levy a tax rate in any year shall notify the clerk of the county commission in the county or counties where the tax rate applies of its tax rate ceiling and its proposed tax rate. Each taxing authority shall express its proposed tax rate in a fraction equal to the nearest one-tenth of a cent, unless its proposed tax rate is in excess of one dollar, then one/one-hundredth of a cent. If a taxing authority shall round to one/one-hundredth of a cent, it shall round up a fraction greater than or equal to five/one-thousandth of one cent to the next higher one/one-hundredth of a cent; if a taxing authority shall round to one-tenth of a cent, it shall round up a fraction greater than or equal to five/one-hundredths of a cent to the next higher one-tenth of a cent. Any taxing authority levying a property tax rate shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating such tax rate complies with Missouri law. All forms for the calculation of rates pursuant to this section

shall be promulgated as a rule and shall not be incorporated by reference. The state auditor shall promulgate rules for any and all forms for the calculation of rates pursuant to this section which do not currently exist in rule form or that have been incorporated by reference. In addition, each taxing authority proposing to levy a tax rate for debt service shall provide data, in such form as shall be prescribed by the state auditor by rule, substantiating the tax rate for debt service complies with Missouri law. A tax rate proposed for annual debt service requirements will be *prima facie* valid if, after making the payment for which the tax was levied, bonds remain outstanding and the debt fund reserves do not exceed the following year's payments. The county clerk shall keep on file and available for public inspection all such information for a period of three years. The clerk shall, within three days of receipt, forward a copy of the notice of a taxing authority's tax rate ceiling and proposed tax rate and any substantiating data to the state auditor. The state auditor shall, within fifteen days of the date of receipt, examine such information and return to the county clerk his or her findings as to compliance of the tax rate ceiling with this section and as to compliance of any proposed tax rate for debt service with Missouri law. If the state auditor believes that a taxing authority's proposed tax rate does not comply with Missouri law, then the state auditor's findings shall include a recalculated tax rate, and the state auditor may request a taxing authority to submit documentation supporting such taxing authority's proposed tax rate. The county clerk shall immediately forward a copy of the auditor's findings to the taxing authority and shall file a copy of the findings with the information received from the taxing authority. The taxing authority shall have fifteen days from the date of receipt from the county clerk of the state auditor's findings and any request for supporting documentation to accept or reject in writing the rate change certified by the state auditor and to submit all requested information to the state auditor. A copy of the taxing authority's acceptance or rejection and any information submitted to the state auditor shall also be mailed to the county clerk. If a taxing authority rejects a rate change certified by the state auditor and the state auditor does not receive supporting information which justifies the taxing authority's original or any subsequent proposed tax rate, then the state auditor shall refer the perceived violations of such taxing authority to the attorney general's office and the attorney general is authorized to obtain injunctive relief to prevent the taxing authority from levying a violative tax rate.

7. No tax rate shall be extended on the tax rolls by the county clerk unless the political subdivision has complied with the foregoing provisions of this section.

8. Whenever a taxpayer has cause to believe that a taxing authority has not complied with the provisions of this section, the taxpayer may make a formal complaint with the prosecuting attorney of the county. Where the prosecuting attorney fails to bring an action within ten days of the filing of the complaint, the taxpayer may bring a civil action pursuant to this section and institute an action as representative of a class of all taxpayers within a taxing authority if the class is so numerous that joinder of all members is impracticable, if there are questions of law or fact common to the class, if the claims or defenses of the representative parties are typical of the claims or defenses of the class, and if the representative parties will fairly and adequately protect the interests of the class. In any class action maintained pursuant to this section, the court may direct to the members of the class a notice to be published at least once each week for four consecutive weeks in a newspaper of general circulation published in the county where the civil action is commenced and in other counties within the jurisdiction of a taxing authority. The notice shall advise each member that the court will exclude him or her from the class if he or she so requests by a specified date, that the judgment, whether favorable or not, will include all members who do not request exclusion, and that any member who does not request exclusion may, if he or she desires, enter an appearance. In any class action brought pursuant to this section, the court, in addition to the relief requested, shall assess against the taxing authority found to be in violation of this section the reasonable costs of bringing the action, including reasonable attorney's fees, provided no attorney's fees shall be awarded any attorney or association of attorneys who receive public funds from any source for their services. Any action brought pursuant to this section shall be set for hearing as soon as practicable after the cause is at issue.

9. If in any action, including a class action, the court issues an order requiring a taxing authority to revise the tax rates as provided in this section or enjoins a taxing authority from the collection of a tax because of its failure to revise the rate of levy as provided in this section, any taxpayer paying his or her taxes when an improper rate is applied has erroneously paid his or her taxes in part, whether or not the taxes are paid under protest as provided in section 139.031, RSMo. The part of the taxes paid erroneously is the difference in the amount produced by the original levy and the amount produced by the revised levy. The township or county collector of taxes or the collector of taxes in any city shall refund the amount of the tax erroneously paid. The taxing authority refusing to revise the rate of levy as provided in this section shall make available to the collector all funds necessary to make refunds pursuant to this subsection. No taxpayer shall receive any interest on any money erroneously paid by him or her pursuant to this subsection. Effective in the 1994 tax year, nothing in this section shall be construed to require a taxing authority to refund any tax erroneously paid prior to or during the third tax year preceding the current tax year.

10. A taxing authority, including but not limited to a township, county collector, or collector of taxes, responsible for determining and collecting the amount of residential real property tax levied in its jurisdiction, shall report such amount of tax collected by December thirty-first of each year such property is assessed to the state tax

commission. The state tax commission shall compile the tax data by county or taxing jurisdiction and submit a report to the general assembly no later than January thirty-first of the following year.

11. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Muschany assumed the Chair.

Representative Portwood offered **House Amendment No. 1 to House Amendment No. 4.**

*House Amendment No. 1  
to  
House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill Nos. 1321 & 1695, Page 12, Line 17, by inserting after the word "**commission**" the following:

**"The maximum tax rate set by all political subdivisions shall be less than or equal to the rate set by such political subdivision in the year 2005.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kuessner raised a point of order that **House Amendment No. 1 to House Amendment No. 4** is not germane to the bill.

Representative Muschany requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

**House Amendment No. 1 to House Amendment No. 4** was withdrawn.

**HCS HBs 1321 & 1695, as amended, with House Amendment No. 4, pending,** was laid over.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

#### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Ryan Childress.

### SPECIAL RECOGNITION

The Neosho Area Chamber of Commerce and the Newton County Tourism Council were introduced by Representative Wilson (130) and recognized for their efforts to chronicle the life of artist Thomas Hart Benton.

Major General Steven R. McCamy was introduced by Representative Wildberger and recognized as an Outstanding Missourian.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1636 through House Resolution No. 1685

### PERFECTION OF HOUSE BILL

**HCS HBs 1321 & 1695, as amended, with House Amendment No. 4, pending,** relating to a property tax credit, was again taken up by Representative Sutherland.

Representative Bringer offered **House Amendment No. 2 to House Amendment No. 4.**

*House Amendment No. 2*

*to*

*House Amendment No. 4*

AMEND House Amendment No. 4 to House Committee Substitute for House Bill Nos. 1321 & 1695, Page 12, Section 137.073, Line 17, by inserting after word "Commission" the following:

", excluding new construction and improvements since the date of the election approving such increase. Nothing in this subsection shall be construed to limit the use of the current year's assessed valuation in years subsequent to the year of the voter-approved increase beyond the requirements of 137.073.4.".

Representative Bringer moved that **House Amendment No. 2 to House Amendment No. 4** be adopted.

Which motion was defeated.

On motion of Representative Davis, **House Amendment No. 4** was adopted by the following vote:

AYES: 105

Baker 25	Baker 123	Bivins	Brandom	Brown 30
Bruns	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lampe	Lembke
Lipke	Loehner	May	McGhee	Meiners

Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Walsh	Wasson	Wells	Weter	Wilson 130
Wood	Wright 159	Young	Zimmerman	Zweifel

NOES: 033

Aull	Bringer	Brown 50	Casey	Darrough
Daus	El-Amin	Fares	Haywood	Hodges
Hughes	Komo	Kratky	Kuessner	LeVota
Liese	Low 39	Lowe 44	McClanahan	Nasheed
Oxford	Quinn 9	Roorda	Schoemehl	Shively
Skaggs	Talboy	Todd	Wallace	Whorton
Wildberger	Wilson 119	Yaeger		

PRESENT: 001

Witte

ABSENT WITH LEAVE: 022

Avery	Bland	Burnett	Curls	Donnelly
Dougherty	George	Harris 23	Holsman	Hubbard
Johnson	Marsh	Meadows	Robinson	Rucker
Salva	Schneider	Vogt	Walton	Wright-Jones
Yates	Mr Speaker			

VACANCIES: 002

On motion of Representative Sutherland, **HCS HBs 1321 & 1695, as amended**, was adopted.

On motion of Representative Sutherland, **HCS HBs 1321 & 1695, as amended**, was ordered perfected and printed.

**HB 1716, with House Amendment No. 1, pending**, relating to the Federal Real ID Act of 2005, was taken up by Representative Guest.

Representative Nieves assumed the Chair.

Representative Guest offered **House Amendment No. 1 to House Amendment No. 1**.

*House Amendment No. 1*  
to  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Bill No. 1716, Page 5, Section 302.171, Line 4, by inserting before the word "birth" the following:

"United States"; and

Further amend Line 5, by inserting before each occurrence of the word "military" the following:

"United States".

On motion of Representative Guest, **House Amendment No. 1 to House Amendment No. 1** was adopted.

On motion of Representative Bringer, **House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Spreng	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Young	Zweifel	Mr Speaker

NOES: 001

St. Onge

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Bland	Burnett	Curls	Donnelly
George	Grill	Harris 23	Holsman	Hughes
Johnson	Marsh	Meadows	Robinson	Roorda
Salva	Vogt	Wright-Jones	Yates	Zimmerman

VACANCIES: 002

On motion of Representative Guest, **HB 1716, as amended**, was ordered perfected and printed.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 70**, relating to limits on state appropriations, was taken up by Representative Icet.

Representative Oxford offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 70, Page 1, Section 23(a), Line 1, by inserting after "**23(a). 1.**" the following:

**"It is the goal of the state of Missouri to fund education, public safety, and vital services to our citizens at a level below that of most other states, so that Missouri will never be among the top tier of states for public investment in education, public safety, and vital services to our citizens."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Aull offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Joint Resolution No. 70, Page 6, Section 27(c), Line 42, by inserting after said line the following:

**"Section B. Section A of this act shall become effective when the foundation formula is fully funded."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Funderburk raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Aull moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

On motion of Representative Icet, **HCS HJR 70** was adopted.

On motion of Representative Icet, **HCS HJR 70** was ordered perfected and printed.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 1550**, relating to juvenile court jurisdiction, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1550, Page 1, In the Title, Line 3, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "ten" and inserting in lieu thereof the word "eleven"; and

Further amend said bill, Page 1, Section A, Line 4, by deleting "and 211.161" and inserting in lieu thereof "211.161, and 1"; and

Further amend said bill, Page 4, Section 211.021, Lines 27-30, by deleting all of said lines and inserting in lieu thereof the following:

**"2. The provisions of this section shall not take effect until such time as appropriations by the general assembly for additional juvenile officer full-time equivalents and deputy juvenile officer full-time equivalents shall exceed by three million eight hundred thousand dollars the amount spent by the state for such officers in fiscal year 2007.";** and

Further amend said bill, Page 6, Section 211.034, Lines 44-45, by deleting all of said lines and inserting in lieu thereof the following:

**"subsection 2 of section 211.021 take effect.";** and

Further amend said bill, Page 9, Section 211.091, Line 4, by deleting the second occurrence of the open bracket "["; and

Further amend said bill, Page 9, Section 211.091, Line 5, by deleting the closed bracket "];" and

Further amend said bill, Page 10, Section 211.091, Line 10, by deleting the open bracket "["; and

Further amend said bill, Page 10, Section 211.091, Line 11, by deleting the closed bracket "];" and

Further amend said bill, Page 10, Section 211.091, Line 14, by deleting the open bracket "[" and closed bracket "];" and

Further amend said bill, Page 10, Section 211.101, Line 3, by deleting the open bracket "[" and closed bracket "];" and



Further amend said bill, Page 10, Section 211.101, Line 4, by deleting the open bracket "[" and closed bracket "]""; and

Further amend said bill, Page 10, Section 211.101, Line 6, by deleting the open bracket "["; and

Further amend said bill, Page 10, Section 211.101, Line 7, by deleting the closed bracket "]""; and

Further amend said bill, Page 10, Section 211.101, Line 9, by deleting the open bracket "[" and closed bracket "]""; and

Further amend said bill, Page 10, Section 211.101, Line 12, by deleting the open bracket "[" and closed bracket "]""; and

Further amend said bill, Page 10, Section 211.161, Line 1, by deleting the open bracket "[" and closed bracket "]""; and

Further amend said bill, Page 10, Section 211.161, Line 3, by deleting the open bracket "[" and closed bracket "]""; and

Further amend said bill, Page 11, Section 211.161, Line 11, by deleting the open bracket "[" and closed bracket "]""; and

Further amend said bill, Page 11, Section 211.161, Line 14, by deleting the open bracket "[" and closed bracket "]""; and

Further amend said bill, Page 11, Section 211.161, Line 15, by inserting after all of said line the following:

**"Section 1. The office of state courts administrator shall conduct a study and report to the general assembly by June 30, 2009, on the impact of changing the definition of child, as used in section 211.031, RSMo, to include any person over seventeen years of age but not yet eighteen years of age alleged to have committed a status offense as defined in subdivision (2) of subsection 1 of section 211.031, RSMo. The report shall contain information regarding the impact on caseloads of juvenile officers, including the average increase in caseload per juvenile officer for each judicial circuit, and the number of children affected by the change in definition.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 1** legislates through the appropriations process.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Stevenson, **House Amendment No. 1** was adopted.

Representative Wilson (130) assumed the Chair.

On motion of Representative Stevenson, **HCS HB 1550, as amended**, was adopted.

On motion of Representative Stevenson, **HCS HB 1550, as amended**, was ordered perfected and printed.

**HCS HB 2328**, relating to tax incentives, was taken up by Representative Wasson.

Representative Wasson offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2328, Page 4, Section 144.058, Line 8, by inserting immediately after the word "facility" the following:

**"and provided such business facility is operated by a qualified company that is engaged, or has been engaged, in a high impact project, technology business project, or small and expanding business project as defined in section 620.1878, RSMo, at the business facility. The exemption authorized in this section shall not terminate after all benefits due the qualified company under the Missouri Quality Jobs Act have been received by the qualified company"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wasson, **House Amendment No. 1** was adopted.

Representative Smith (14) offered **House Amendment No. 2**.

Representative Flook raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Wildberger offered **House Amendment No. 3**.

Representative Flook raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Wasson, **HCS HB 2328, as amended**, was adopted.

On motion of Representative Wasson, **HCS HB 2328, as amended**, was ordered perfected and printed.

**HCS HBs 1549, 1771, 1395 & 2366**, relating to illegal aliens, was taken up by Representative Onder.

Representative Wildberger offered **House Amendment No. 1**.

Representative Jones (89) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Bringer offered **House Amendment No. 2**.

Representative Jones (89) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Chappelle-Nadal requested a division of the question on **HCS HBs 1549, 1771, 1395 & 2366**.

On motion of Representative Onder, **Part I of HCS HBs 1549, 1771, 1395 & 2366** was adopted.

Representative Jones (89) assumed the Chair.

**HCS HBs 1549, 1771, 1395 & 2366, with Part II and Part III, pending**, was laid over.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1923** - Fiscal Review (Fiscal Note)  
**HB 1981** - Fiscal Review (Fiscal Note)  
**HB 2016** - Budget  
**HB 2023** - Budget  
**HB 2494** - Special Committee on General Laws

### **COMMITTEE REPORTS**

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **HCS HB 2106**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 2110**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SB 801**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on State Parks and Waterways**, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **HB 1438**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Urban Issues**, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HCS HB 2117**, begs leave to report it has examined the same and recommends that **HB 2117 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Workforce Development and Workplace Safety**, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 1851**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1383**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2014** and has taken up and passed **CCS SCS HCS HB 2014**.

The following member's presence was noted: Meadows.

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 9, 2008.

## **COMMITTEE MEETINGS**

### **BUDGET**

Wednesday, April 9, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2016, HB 2023

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 9, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HB 2254, SCS SB 907

### **CONSERVATION AND NATURAL RESOURCES**

Thursday, April 10, 2008, 8:00 a.m. House Chamber south gallery.

Executive session will follow.

Public hearing to be held on: SB 956

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 723, SB 733, SB 932

### **ELECTIONS**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: SB 797, SB 1288

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, April 9, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1891, HB 2070, SB 839, SB 925

### **FISCAL REVIEW**

Thursday, April 10, 2008, 8:30 a.m. House Chamber south gallery.

Any bills presented to this committee.

Note time change from upon morning adjournment to 8:30 a.m.

### **HEALTH CARE POLICY**

Wednesday, April 9, 2008, Hearing Room 2 upon afternoon adjournment.

Executive session.

### **HIGHER EDUCATION**

Wednesday, April 9, 2008, Hearing Room 1 upon morning recess.

Executive session may follow. AMENDED.

Public hearings to be held on: SCS SB 967, HB 1979, HB 2582

**JOINT COMMITTEE ON CORRECTIONS**

Wednesday, April 9, 2008, 8:30 a.m. Hearing Room 5.

Continuation of Department of Corrections Report.

Some portions of the meeting may be closed pursuant to Section 610.021. CORRECTED NOTICE

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

**JUDICIARY**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED.

Public hearings to be held on: SB 976, SB 1016, SCS SB 1033,  
SB 1074, SB 1151, SCS SB 1235

**LOCAL GOVERNMENT**

Wednesday, April 9, 2008, Hearing Room 4 upon morning recess.

Executive session will be held. AMENDED.

Public hearings to be held on: HB 1688, HB 1789, HB 2201, SCS SB 1044, SB 1135

**RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, April 9, 2008, House Chamber north gallery upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2078, HCS HB 1990, HCS HB 2059,  
HCS HB 1339, HCS HB 2239, HCS HB 2260, HCS HB 1516,  
HCS#2 HB 2106, HCS SCS SB 942

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, April 9, 2008, 9:00 a.m. Hearing Room 1.

Executive session may follow. AMENDED.

Public hearing to be held on: HB 2440

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, April 9, 2008, 6:00 p.m. Hearing Room 6.

Executive session may follow.

Hearing will begin at 6:00 p.m. or upon afternoon adjournment. AMENDED.

Public hearings to be held on: SS SCS SB 944, SCS SB 1168, HB 1685

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Thursday, April 10, 2008, 9:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 2289, SCS SB 1131, SCS SB 1150, SB 1140, SB 1175

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 9, 2008, Hearing Room 6 upon morning recess.

Executive session may follow.

Committee will discuss proposed committee substitute for Insure Missouri.

If needed, committee will reconvene in HR 4 upon afternoon adjournment.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 10, 2008, 8:00 a.m. House Chamber north gallery.

Committee will discuss a proposed House Committee Substitute for Insure Missouri.

If needed, the committee will meet in HR 6 upon afternoon adjournment.

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, April 9, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session will be held.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 9, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2421, HCR 43, HCR 46, HB 2377, SB 1073

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1701, HB 2487, SCS SB 850,

SB 1061, SB 1177, SB 1190

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1902, SCS SBs 1153, 1154, 1155 & 1156, SB 980

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, April 9, 2008, 5:00 p.m. Hearing Room 1.

Executive session will follow.

Public hearings to be held on: HB 2343, HB 1871, HB 2444

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Thursday, April 10, 2008, 9:30 a.m. House Chamber south gallery.

Executive session.

Public hearing to be held on: HB 2129

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, April 10, 2008, 8:45 a.m. Hearing Room 4.

Executive session will follow.

Public hearing to be held on: SB 1187

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 9, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2109, HB 2458

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, April 9, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow.

PSC presentation by Chairman Davis RE: Missouri's energy future.

Public hearing to be held on: HB 2468

**SPECIAL COMMITTEE ON UTILITIES**

Thursday, April 10, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 928, SB 958, SCS SBs 1034 & 802

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Wednesday, April 9, 2008, 12:00 p.m. Hearing Room 7.

Executive session.

**WAYS AND MEANS**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 2417, SB 979

**HOUSE CALENDAR**

FIFTIETH DAY, WEDNESDAY, APRIL 9, 2008

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 49 - Cox
- 2 HCS HJR 71 - Fisher

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HBs 1788 & 1882 - Day
- 8 HCS HB 1802 - Wilson (130)
- 9 HCS HB 1644 - Muschany
- 10 HCS HB 1332 - Sater
- 11 HCS HB 1813 - Dougherty



- 12 HCS HB 1649 - Franz
- 13 HCS#2 HB 1423 - St. Onge
- 14 HCS HBs 2062 & 1518 - Pearce
- 15 HCS HB 1474 - Cunningham (86)
- 16 HCS HB 2250 - Sutherland
- 17 HB 1957 - Hughes
- 18 HB 1756 - Walton
- 19 HCS HB 2060 - Deeken
- 20 HB 2144 - Whorton
- 21 HB 1535 - Deeken
- 22 HB 1517 - Cox
- 23 HCS HB 2112 - Emery
- 24 HB 1372 - McGhee
- 25 HCS HBs 1549, 1771, 1395 & 2366, Part II, Part III, pending - Onder
- 26 HCS HB 1590 - Munzlinger
- 27 HCS HB 1504 - Walton
- 28 HCS HBs 2040 & 2430 - Jetton

#### **HOUSE BILLS FOR THIRD READING**

- 1 HB 1319, (Fiscal Review 4-2-08) - Brown (50)
- 2 HCS HB 1929, (Fiscal Review 4-2-08) - Cooper (120)
- 3 HCS HB 2321 - Dixon

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 8 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)

#### **SENATE BILL FOR THIRD READING**

- SB 1066 - Muschany

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTIETH DAY, WEDNESDAY, APRIL 9, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Great and marvelous are Your works, Lord God Almighty! Just and true are Your ways.

We endeavor, this day, to make the most of every opportunity presented to us. We recognize that, for many of our constituents, these are desperate times! We refuse to act thoughtlessly, but thoughtfully, endeavoring to find out, and do, what is impartial, purposeful and beneficial for all concerned.

Help us to not waste our time on useless work, mere busyness, or the empty pursuit of activity. When we slip into those moments, expose them that we might make the necessary corrections.

As seconds turn into minutes and minutes into hours, and the hours reach deep into the evening, grant us strength of character, strength of mind, and most certainly, strength of body, that we may endure.

Now may Your peace, which surpasses all understanding, guard our hearts and our minds throughout this day and the remainder of this week.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Ryan Childress, Hunter Soule, Ashten Lorts, Dylan Grawe, Mark Lamb, Ashley Dowden, Ryan Olson, Tiffany Dattel, Grace Dockhorn, Logan Ball, Ajahni Johnston, Taylor Corkery and Hannah Thompson.

The Journal of the forty-ninth day was approved as corrected.

## SPECIAL RECOGNITION

Dr. Mark Prelas was introduced by Representative Salva and recognized as an Outstanding Missourian.

Mickey Carroll, original "Wizard of Oz" munchkin, was introduced by Representative Schneider and presented a resolution for being selected as an honorary member of the 1904 World's Fair Charitable Foundation Board.

**PERFECTION OF HOUSE BILLS**

**HCS HBs 2040 & 2430**, relating to educational personnel compensation, was taken up by Representative Jetton.

**HCS HBs 2040 & 2430** was laid over.

**HCS HBs 1549, 1771, 1395 & 2366, with Part II and Part III, pending**, relating to illegal aliens, was taken up by Representative Onder.

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 059

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
El-Amin	Fallert	Frame	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Bland	Curls	Donnelly	Dougherty
George	Harris 23	Low 39	Marsh	Meadows
Moore	Richard	St. Onge	Storch	Wright-Jones
Yates	Zweifel			

VACANCIES: 002

On motion of Representative Onder, **Part II of HCS HBs 1549, 1771, 1395 & 2366** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

NOES: 056

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
El-Amin	Fallert	Frame	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Lampe
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Bland	Curls	Donnelly	Dougherty
George	Harris 23	Kuessner	LeVota	Marsh
Meadows	Muschany	Norr	Richard	Schneider
Self	St. Onge	Storch	Walton	Wright-Jones
Yates	Zweifel			

VACANCIES: 002

On motion of Representative Onder, **Part III of HCS HBs 1549, 1771, 1395 & 2366** was adopted.

On motion of Representative Onder, **HCS HBs 1549, 1771, 1395 & 2366** was ordered perfected and printed.

### COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1929** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

On motion of Representative Tilley, the House recessed until 2:30 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### HOUSE RESOLUTION

Representative Deeken offered House Resolution No. 1691.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1686 through House Resolution No. 1690  
House Resolution No. 1692 through House Resolution No. 1729

### THIRD READING OF SENATE BILL

**SB 1066**, relating to elementary and secondary education, was taken up by Representative Muschany.

Representative Bringer offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Bill No. 1066, Page 9, Section 168.021, Line 150, by adding after all of said line the following:

"168.133. 1. The school district shall ensure that a criminal background check is conducted on any person employed after January 1, 2005, authorized to have contact with pupils and prior to the individual having contact with any pupil. Such persons include, but are not limited to, administrators, teachers, aides, paraprofessionals, assistants, secretaries, custodians, cooks, and nurses. The school district shall also ensure that a criminal background check is conducted for school bus drivers. The district may allow such drivers to operate buses pending the result of the criminal background check. For bus drivers, the background check shall be conducted on drivers employed by the school district or employed by a pupil transportation company under contract with the school district.

2. In order to facilitate the criminal history background check on any person employed after January 1, 2005, the applicant shall submit two sets of fingerprints collected pursuant to standards determined by the Missouri highway patrol. One set of fingerprints shall be used by the highway patrol to search the criminal history repository and the family care safety registry pursuant to sections 210.900 to 210.936, RSMo, and the second set shall be forwarded to the Federal Bureau of Investigation for searching the federal criminal history files.

3. The applicant shall pay the fee for the state criminal history record information pursuant to section 43.530, RSMo, and sections 210.900 to 210.936, RSMo, and pay the appropriate fee determined by the Federal Bureau of Investigation for the federal criminal history record when he or she applies for a position authorized to have contact with pupils pursuant to this section. The department shall distribute the fees collected for the state and federal criminal histories to the Missouri highway patrol.

4. The school district may adopt a policy to provide for reimbursement of expenses incurred by an employee for state and federal criminal history information pursuant to section 43.530, RSMo.

5. If, as a result of the criminal history background check mandated by this section, it is determined that the holder of a certificate issued pursuant to section 168.021 has pled guilty or nolo contendere to, or been found guilty of a crime or offense listed in section 168.071, or a similar crime or offense committed in another state, the United States, or any other country, regardless of imposition of sentence, such information shall be reported to the department of elementary and secondary education.

6. Any school official making a report to the department of elementary and secondary education in conformity with this section shall not be subject to civil liability for such action.

7. For any teacher who is employed by a school district on a substitute or part-time basis within one year of such teacher's retirement from a Missouri school, the state of Missouri shall not require such teacher to be subject to any additional background checks prior to having contact with pupils. Nothing in this subsection shall be construed as prohibiting or otherwise restricting a school district from requiring additional background checks for such teachers employed by the school district.

**8. A criminal background check and fingerprint collection conducted under subsections 1 and 2 of this section shall be valid for at least a period of one year and transferrable from one school district to another district. A teacher's change in type of certification shall have no effect on the transferability of such records.**

**9.** Nothing in this section shall be construed to alter the standards for suspension, denial, or revocation of a certificate issued pursuant to this chapter.

[9.] **10.** The state board of education may promulgate rules for criminal history background checks made pursuant to this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2005, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

**SB 1066** was laid over.

## PERFECTION OF HOUSE BILLS

**HCS HB 1332**, relating to pharmacy audits, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1332, Section 338.600, Page 1, Line 4, by striking the words "**the board of pharmacy**"; and

Further amend said section and page, Line 5, by striking the words "**or board**"; and

Further amend said section, Page 2, Line 19, by inserting the following after "**drug**":

**". Electronically stored images of prescriptions, electronically created annotations and other related supporting documentation shall be considered valid prescription records. Hard copy and electronic signature logs that indicate the delivery of pharmacy services shall be considered valid proof of receipt of such services by a program enrollee"; and**

Further amend said section and page, Line 48, by deleting the numeral "**4**" and inserting in lieu thereof the numeral "**3**"; and

Further amend said section, Page 3, Line 59, by inserting after the number "**6**." the following:

**"This section shall not apply to any audit conducted as part of any inspection or investigation conducted by the board of pharmacy.  
7."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

Representative Tilley offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1332, Section 338.600, Page 1, Line 13, by deleting all of said line and inserting in lieu thereof the following:

**"itself constitute fraud or grounds for recoupment; except that, such claims may be otherwise subject to recoupment or payment"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Tilley, **House Amendment No. 2** was adopted by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155

Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Donnelly	George	Harris 23	Hughes
Johnson	Low 39	Marsh	May	Meadows
Nasheed	Robinson	Salva	Schaaf	Spreng
Wright-Jones	Yates	Young	Zweifel	

VACANCIES: 002

### Representative Stevenson offered **House Amendment No. 3.**

#### *House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1332, Section 338.600, Page 3, Line 61, by inserting after all of said line the following:

- “Section 1. 1. As used in sections 1 to 3, the following words and phrases shall mean:**
- (1) “Generic alternative”, another drug within the same drug class as the originally prescribed medication;**
  - (2) “Generic equivalent”, another drug with the same chemical compound as the originally prescribed medication;**
  - (3) “Health carrier”, the same meaning as such term is defined in section 376.1350, RSMo;**
  - (4) “Pharmacy benefit manager” or “PBM”, a person or entity other than a pharmacy or pharmacist acting as an administrator in connection with pharmacy benefits;**
  - (5) “Switch communication”, a communication from a health insurance carrier or PBM to a patient or the patient’s physician that recommends a patient’s medication be switched by the original prescribing health care**



professional to a different medication than the medication originally prescribed by the prescribing health care professional.

2. (1) Any time a patient's medication is recommended to be switched to a medication other than that originally prescribed by the prescribing health care professional, a switch communication shall be sent to:

(a) The patient providing information about why the switch is proposed and the patient's rights for refusing the recommended change in treatment; and

(b) The plan sponsor informing such sponsor of the cost, shown in currency form, of the recommended medication and the cost, shown in currency form, of the originally prescribed medication.

(2) A switch communication shall not be required for generic equivalent medication switches, unless the cost to the patient or plan sponsor is greater than the medication originally prescribed and dispensed.

(3) A switch communication shall be required for generic alternative medication switches.

3. Such switch communication shall:

(1) Clearly identify the originally prescribed medication and the medication to which it has been proposed that the patient should be switched;

(2) Explain any financial incentives that may be provided to, or have been offered to, the prescribing health care professional by the health carrier of PBM that could result in the switch to the different drug. In particular, cash or in-kind compensation payable to prescribers or their professional practices for switching patients from their currently prescribed medication to a different medication shall be disclosed to the patient as well as incentives that may be provided through general health care professional compensation programs used by the health carrier or PBM;

(3) Explain any financial incentive that a health carrier or PBM may have to encourage the switch to a different drug;

(4) Advise the patient of his or her rights to discuss the proposed change in treatment before such a switch takes place, including a discussion with the patient's prescribing health care professional, the filing of a grievance with the health carrier to prevent the switch if such a switch is based on a financial incentive and the filing of a grievance with the department of insurance, financial institutions, and professional registration; and

(5) Explain any cost sharing changes for which the patient is responsible.

4. Switch communications to health care providers shall disclose financial incentives or benefits that may be received by the health carrier or PBM.

5. Switch communications to health care providers shall direct the prescriber to advise the patient that is subjected to a switch by the prescriber of any financial incentives received by the prescriber or other inducements from the health carrier or PBM that may influence the decision to switch.

6. A copy of any switch communication sent to a patient shall also be sent to the prescribing health care professional.

7. Health insurance payers, including employers, shall be notified of medication switches among plan participants. Such notification shall include any financial incentive the health carrier or PBM may be utilizing to encourage or induce the switch. Information contained in the notification shall be in the aggregate and must not contain any personally identifiable information.

8. The department of insurance, financial institutions, and professional registration shall create one form for health carriers and pharmacy benefit managers to use in switch communications to patients, prescribing health care professionals, and health insurance payers including employers.

9. The department shall promulgate rules governing switch communications.

10. Such rules shall include, but not be limited to the following:

(1) Procedures for verifying the accuracy of any switch communications from health benefit plans and pharmacy benefit managers to ensure that such switch communications are truthful, accurate, and not misleading based on cost to the patient and plan sponsor, the product package labeling, medical compendia recognized by the MO HealthNet program for the drug utilization review program, and peer-reviewed medical literature, with appropriate referenced provided;

(2) A requirement that all switch communications bear a prominent legend on the first page that states: "This is not a product safety notice. This is a promotional announcement from your health care insurer or pharmacy benefit manager about one of your current prescribed medications.";

(3) A requirement that, if the switch communication contains information regarding a potential therapeutic substitution, such communication shall explain that medications in the same therapeutic class are associated with different risks and benefits and may work differently in different patients.

11. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the

provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

**Section 2. 1. Issuing or delivering or causing to be issued or delivered a switch communication that has not been approved and is not in compliance with the requirements of section 1 is punishable by a fine not to exceed twenty-five thousand dollars.**

**2. Providing a misrepresentation or false statement in a switch communication under section 1 is punishable by a fine not to exceed twenty-five thousand dollars.**

**3. Any other material violation of section 1 is punishable by a fine not to exceed twenty-five thousand dollars.**

**Section 3. 1. When medications for the treatment of any medical condition are restricted for use by a health carrier or PBM by a step therapy or fail first protocol, a prescriber may override such restriction if:**

**(1) The preferred treatment by the health carrier or the PBM has been ineffective in the treatment of the covered person's disease or medical condition; or**

**(2) Based on sound clinical evidence and medical and scientific evidence:**

**(a) The preferred treatment is expected to be ineffective based on the known relevant physical or mental characteristics of the covered person and known characteristics of the drug regimen, and is likely to be ineffective or adversely affect the drug's effectiveness or patient compliance; or**

**(b) The preferred treatment has caused or based on sound clinical evidence and medical and scientific evidence is likely to cause an adverse reaction or other harm to the covered person.**

**2. The duration of any step therapy or fail first protocol shall not be longer than a period of fourteen days.**

**3. For medications with no generic equivalent and for which the prescribing physician in their clinical judgment feels that no appropriate therapeutic alternative is available a health carrier or PBM shall provide access to United States Food and Drug Administration (FDA) labeled medications without restriction to treat such medical conditions for which an FDA labeled medication is available.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hobbs assumed the Chair.

On motion of Representative Stevenson, **House Amendment No. 3** was adopted by the following vote:

AYES: 137

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce

Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Baker 25	Burnett	Cooper 120	Cooper 155
Dixon	Donnelly	George	Harris 23	Hughes
Hunter	Johnson	Low 39	Lowe 44	Meadows
Nasheed	Robinson	Salva	Schneider	Spreng
Wright-Jones	Yates	Young	Zweifel	

VACANCIES: 002

### Representative Villa offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1332, Section 338.600, Page 2, Lines 35-37, by deleting all of said lines from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Villa moved that **House Amendment No. 4** be adopted.

Which motion was defeated by the following vote:

AYES: 051

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Daus
Dougherty	El-Amin	Fallert	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	McClanahan	Meiners
Norr	Oxford	Quinn 9	Robinson	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Yaeger
Zimmerman				

NOES: 092

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kratky	Kraus	Lembke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Darrough	Dixon	Donnelly	George
Harris 23	Johnson	Lowe 44	Meadows	Nasheed
Salva	Self	Spreng	Wildberger	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

Representative Roorda offered **House Amendment No. 5**.

Representative Faith raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

Representative Hobbs requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Sater, **HCS HB 1332, as amended**, was adopted.

On motion of Representative Sater, **HCS HB 1332, as amended**, was ordered perfected and printed.

**HCS HBs 2040 & 2430**, relating to educational personnel compensation, was again taken up by Representative Jetton.

Speaker Pro Tem Pratt resumed the Chair.

Representative Cooper (120) assumed the Chair.

Representative Jetton offered **House Amendment No. 1.***House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Section 163.172, Page 21, Line 1, to Page 22, Line 26, by deleting all of said lines and inserting in lieu thereof the following:

"163.172. 1. [In school year 1994-95 and thereafter until school year 2006-07, the minimum teacher's salary shall be eighteen thousand dollars. Beginning in school year 2006-07, the minimum teacher's salary shall be twenty-two thousand dollars; in school year 2007-08, the minimum teacher's salary shall be twenty-three thousand dollars; in school year 2008-09, the minimum teacher's salary shall be twenty-four thousand dollars; in school year 2009-10 and thereafter, the minimum teacher's salary shall be twenty-five thousand dollars. Beginning in the school year 1996-97 until school year 2006-07, for any full-time teacher with a master's degree and at least ten years' teaching experience in a public school or combination of public schools, the minimum salary shall be twenty-four thousand dollars. Beginning in the school year 2006-07, for any full-time teacher with a master's degree in an academic teaching field and at least ten years' teaching experience in a public school or combination of public schools, the minimum salary shall be thirty thousand dollars; in the 2007-08 school year such minimum salary shall be thirty-one thousand dollars; in the 2008-09 school year such minimum salary shall be thirty-two thousand dollars; and in the 2009-10 school year such minimum salary shall be thirty-three thousand dollars.

2. Beginning with the budget requests for fiscal year 1991,] **As used in this section, the following terms mean:**

(1) **"Full-time"**, a teacher working under school district contract or for a state school for the severely handicapped, state school for the deaf, or state school for the blind for all school days and hours eligible for attendance of students;

(2) **"Minimum salary supplement"**, the difference between the school district's salary schedule and the minimum salary set out in subdivision (1) of subsection 4 of this section, based on years of teaching experience and the most advanced academic degree held by the teacher;

(3) **"Regular school term"**, a minimum of one hundred seventy-four days and one thousand forty-four hours of pupil attendance possible for students;

(4) **"Salary"**, the salary amount which appears on the teacher's contract for the regular school term. Such term does not include supplements for extra duties, summer school, career ladder, or extensions of the contract year. The minimum salary supplement shall be included in the calculation of "final average salary" under subdivision (8) of section 169.010, RSMo;

(5) **"Teacher"**, all certificated school district personnel who are eligible for tenure and are paid pursuant to the school district teacher salary schedule, including but not limited to teachers, librarians, counselors, and career education instructors.

2. Beginning with the 2008-2009 school year, the general assembly shall make an annual appropriation to the minimum salary fund for teachers established in subsection 3 of this section for the purpose of paying public school teacher minimum salary supplements in those districts meeting the qualifications established in subsection 4 of this section. A participating school district shall be responsible only for the contracted amount of a teacher's salary. If the appropriation of the general assembly is insufficient to pay the total cost of all salary supplements, the minimum salary amounts of subsection 4 of this section shall be prorated until the amount appropriated is sufficient to make the payments to all participating school districts.

3. There is hereby created in the state treasury the "Minimum Salary Fund for Teachers" to fund the minimum teacher salaries provided for in this section. The state treasurer shall be custodian of the fund. In accordance with sections 30.170 and 30.180, RSMo, the state treasurer may approve disbursements. Upon appropriation, money in the fund shall be used solely for the administration of this section. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. To make application and qualify to begin receiving funds under subsection 1 of this section, a school district shall:

(1) Regardless of where a teacher is placed on a local salary schedule, recognize all years of teacher experience, including but not limited to employment in out-of-state schools, private schools, and public charter schools:

Years of Experience	Bachelor's	Master's
1-3	\$31,000	\$33,000
4-6	\$32,500	\$34,500
7-9	\$34,000	\$36,000
10-12	\$35,500	\$37,500
13-15	\$37,000	\$39,000
16-18	\$38,500	\$40,500
19-21	\$40,000	\$42,000
22-24	\$41,500	\$43,500
25-27	\$43,000	\$45,000
28+	\$44,500	\$46,500

(2) Be subject to a local effort requirement. The local effort shall be calculated based on the percentage of expenditures from the teachers and incidental funds attributable to the base salary, retirement, and health care costs of the teachers covered under the minimum salary supplement program. A district may vary from its local effort percentage based on its combined unrestricted fund balance as of June thirtieth of the previous year, as follows:

Fund Balance	Variance Allowed
75% or more	1%
74-50%	1.5%
50-30%	2%
30-20%	2.5%
20-15%	3%
15-10%	4%
Less than 10%	5%

The department shall deduct, in the next fiscal year, a corresponding dollar amount of the minimum salary supplement for a district that varies more than the allowable percentage from its local effort percentage.

5. Future increases in minimum salaries established under subsection 4 of this section shall be contingent upon decreases in total state payments to all districts made under subsection 4 of this section. The second fiscal year following the fiscal year in which the state cost of funding the minimum salary program is eighty-five percent or less of the full funding cost for the first school year of the state funding of minimum salaries for teachers under subsection 4 of this section, the value of the base level of minimum salary, represented by the one-to-three year bracket amount, shall be increased by five hundred dollars.

6. The commissioner of education shall present to the appropriate committees of the general assembly information on the average Missouri teacher's salary, regional average salary data, and national average salary data.

[3.] 7. All school salary information shall be public information.

[4. As used in this section, the term "salary" shall be defined as the salary figure which appears on the teacher's contract and as determined by the local school district's basic salary schedule and does not include supplements for extra duties.

5. The minimum salary for any fully certificated teacher employed on a less than full-time basis by a school district, state school for the severely handicapped, the Missouri School for the Deaf, or the Missouri School for the Blind shall be prorated to reflect the amounts provided in subsection 1 of this section.]

8. The state board of education shall issue rules and regulations as necessary for the efficient and effective implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void."; and

Further amend said bill, Page 61, Section 1, Line 3, by adding after all of said line the following:

"Section B. Because immediate action is necessary to synchronize the requirements of Sections 163.172, 169.070, and 169.670 of section A of this act with the school calendar and state fiscal year, Sections 163.172, 169.070, and 169.670 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and Sections 163.172, 169.070, and 169.670 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schoeller offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 2040 & 2430, Page 2, Lines 18 and 19, by deleting said lines and inserting in lieu thereof the following:

**"2. Subject to appropriation and beginning with the 2008-2009 school year, funds shall be deposited into the minimum salary fund for teachers established in subsection 3 of this section"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schoeller, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Portwood offered **House Amendment No. 2 to House Amendment No. 1, as amended.**

*House Amendment No. 2*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for House Bill Nos. 2040 & 2430, Page 6, Line 1, by inserting before the phrase "Section B" on said line the following:

**"Section 2. 1. Beginning in school year 2009-2010, registered professional school nurses employed by a school district shall be paid on the same pay scale as teachers working in the same school district, with nurses and teachers having equivalent work history and working hours receiving the same salary.**

**2. The salary requirements under this section for registered professional school nurses shall not result in a decrease or loss of any existing school funding or decrease the current number of registered professional school nurse staffing positions in any school district.**

**3. As used in this section, the following terms shall mean:**

**(1) "Registered professional school nurse", a registered professional nurse, as defined in section 335.016, RSMo, employed by a school district to engage in the practice of professional nursing, as defined in section 335.016, RSMo, for such school district;**

**(2) "Salary", the salary figure which appears on the registered professional school nurse's contract or employment agreement and as determined by the local school district's basic salary schedule and does not include supplements for extra duties."**

Speaker Pro Tem Pratt resumed the Chair.

Representative Skaggs offered **House Substitute Amendment No. 1 for House Amendment No. 2 to House Amendment No. 1, as amended.**

Representative Smith (150) raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2 to House Amendment No. 1, as amended**, is in violation of Rule 46(b) and the Rules of the U. S. House of Representatives.

The Chair ruled the point of order well taken.

On motion of Representative Portwood, **House Amendment No. 2 to House Amendment No. 1, as amended**, was adopted.

Representative Skaggs offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 2, Lines 18 and 19, by deleting said lines and inserting in lieu thereof the following:

**"2. Subject to appropriation and beginning with the 2008-2009 school year, funds shall be deposited into the minimum salary fund for teachers established in subsection 3 of this section"; and**

Further amend Page 6, Line 1, by inserting before "Section B":

**"Section 2. 1. Beginning in school year 2009-2010, registered professional school nurses and bus drivers employed by a school district shall be paid on the same pay scale as teachers working in the same school district, with nurses and teachers and bus drivers having equivalent work history and working hours receiving the same salary.**

**2. The salary requirements under this section for registered professional school nurses and bus drivers shall not result in a decrease or loss of any existing school funding or decrease the current number of registered professional school nurse staffing positions or bus drivers in any school district.**

**3. As used in this section, the following terms shall mean:**

**(1) "Registered professional school nurse", a registered professional nurse, as defined in section 335.016, RSMo, employed by a school district to engage in the practice of professional nursing, as defined in section 335.016, RSMo, for such school district;**

**(2) "Salary", the salary figure which appears on the registered professional school nurse's contract or employment agreement and as determined by the local school district's basic salary schedule and does not include supplements to extra duties."**

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares



Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Mr Speaker				

NOES: 057

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Daus	Dougherty
El-Amin	Fallert	Frame	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 25	Brown 50	Bruns	Darrough
Donnelly	Franz	George	Johnson	Meadows
Nasheed	Robinson	Salva	Schneider	Spreng
Wright-Jones	Yates	Young		

VACANCIES: 002

Representative Skaggs moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 054

Baker 25	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Dougherty
El-Amin	Fallert	Frame	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Norr	Oxford	Page	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl

Shively	Skaggs	Storch	Talboy	Todd
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Zimmerman	Zweifel	

NOES: 092

Aull	Bivins	Brandom	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 123	Bruns	Darrough	Donnelly
Franz	George	Meadows	Nasheed	Robinson
Schneider	Spreng	Wright-Jones	Yates	Young

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Baker 123	Brandom	Brown 30	Cooper 120	Cooper 155
Cox	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley

Viebrock	Wallace	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

NOES: 054

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Daus	Dougherty
El-Amin	Fallert	Frame	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	Liese	Low 39	McClanahan
Meiners	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Wildberger	Witte	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Bivins	Bruns	Chappelle-Nadal	Corcoran
Cunningham 145	Darrough	Donnelly	George	LeVota
Lowe 44	Meadows	Nasheed	Robinson	Schneider
Spreng	Vogt	Wasson	Whorton	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

On motion of Representative Jetton, **House Amendment No. 1, as amended**, was adopted.

Representative Holsman offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Section 168.710, Page 36, Line 1, to Page 38, Line 87, by deleting all of said lines and inserting in lieu thereof the following:

**"168.710. 1. Beginning in fiscal year 2010 and ending in fiscal year 2015, the general assembly shall make an annual appropriation of twenty million dollars to be distributed to school districts for a pilot project to recognize excellence in performance by instructional personnel and school-based administrators in participating districts.**

**2. In order to be eligible for funding under this section, a school district board shall adopt an excellence award program plan that provides for assessment and an award based on the performance of teachers and students assigned to schools in participating districts under subsection 3 of this section. All instructional personnel and school-based administrators, as defined by the department through rule, are eligible to receive excellence awards, with the exception of substitute teachers. In order to receive an excellence award under this section, instructional personnel shall be assessed on the performance of students assigned to their classrooms or within their academic sphere of responsibility. The district school board may not require instructional personnel or school-based administrators to apply for an award, or make any presentation, in order to be assessed for or receive an excellence award. The department of elementary and secondary education may not distribute any portion of prorated funding to a district, if the district chooses not to adopt an excellence award program plan under this section. Undistributed funds shall revert to the fund from which the appropriation was made.**

**3. The district's award plan shall be based on the elements listed below. No district shall be permitted to continue to participate unless it submits its external building evaluation data under opportunity 2 annually to the joint committee on education and annually makes the data available to the school community in conjunction**

with the information required for annual performance reports. Opportunity 1 shall be an individual award based on the teacher's performance; opportunities 2, 3, and 4 shall be awarded to all teachers assigned to the building.

(1) Opportunity 1, teacher-controlled variables. An individual teacher may earn two and five-tenths percent of his or her base salary by:

(a) Submitting a portfolio, which shall include but not be limited to, grade level expectations, a curriculum outline for the year, daily lesson plans, past student work, current student work, discipline plan, and notes for substitute teachers; and

(b) Achieving a ninety-five percent personal attendance rate.

(2) Opportunity 2, ground level expectations. Teachers assigned to the building may earn:

(a) Two and five-tenths percent of their base salaries if the building:

a. Conducts an external evaluation of the building's performance with anonymous surveys of parents, teachers, administrators and nonteaching staff, and students, which includes:

i. If a high school building, the creation of a student evaluation council composed of no more than ten percent of the senior class selected at the beginning of the second semester of the senior year from students who have a career grade point average of at least three points on a four-point scale or equivalent, to participate in three meetings with the superintendent, building administrator, and selected faculty to conduct exit interviews and anonymous questionnaires and to be available for a followup on academic preparation and job readiness the year after graduation; or

ii. If not a high school building, the implementation of an age-appropriate exit-year interview to gather information on school climate and a survey with anonymous questionnaires taken from a random sample of the building's parents, teachers, staff, and students; and

b. Increases either student attendance or graduation rate by two percentage points over the last year's rate; or

(b) One percent of their base salaries by maintaining at least ninety-three percent student attendance and a ninety percent graduation rate.

(3) Opportunity 3, Missouri assessment program scores. Teachers assigned to the building may earn:

(a) Two and five-tenths percent of their base salaries by increasing the scores on the building's performance index status measure for any two of the mathematics, communication arts, or science assessments by one performance level over the last year; or

(b) One percent of their base salaries by:

a. Raising one of the three assessments status measures to the high 1 or high 2 level; or

b. Maintaining two out of three assessment status measures at the high 1 or high 2 level.

(4) Opportunity 4, building progress report. Teachers assigned to the building may earn:

(a) Two and five-tenths percent of their base salaries by scoring "met" on two accreditation performance indicators that had been scored "not met" last year's annual performance report; or

(b) One percent of their base salaries by scoring "met" on one accreditation performance indicator that was scored "not met" last year or maintaining accreditation with at least twelve of the fourteen performance criteria met for a building with high school grades or six of seven for elementary, middle school or junior high school buildings.

4. In order for a district to develop a plan to participate in the excellence award program, a majority vote of the certificated teachers of the district shall be required. The department shall create a web-based ballot that permits a district's certificated teachers to vote using a method that requires a unique identifier or other means to ensure validity. Voting shall be a confidential process. The department shall report the district's results to the district.

5. Each district school board shall inform its employees of the criteria and procedures associated with the excellence award program plan.

6. Each person who qualifies for an award is required to be an employee of the school district in the fiscal year during which award funds are distributed.

7. Nothing in this section shall be construed to be an element of any school district salary schedule as referred to in subdivision (2) of section 168.110.

8. The joint committee on education shall review the impact of the excellence award program during fiscal year 2012 and again in fiscal year 2014 and shall make recommendations about the continuation of the program for legislative action prior to the scheduled end of the program under subsection 9 of this section. In its review, the joint committee shall consider information from all stakeholders and may issue a request for proposals from any organization without an interest in the matter to conduct research that it deems necessary.

9. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

10. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hodges offered **House Amendment No. 1 to House Amendment 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill Nos. 2040 & 2430, Page 1, Lines 4-5, by deleting all of said lines and inserting in lieu thereof the following:

**"168.710. 1. Beginning in fiscal year 2010 and ending in fiscal year 2015, twenty million dollars shall be distributed to school"; and**

Further amend said amendment, said page, Line 7, by inserting immediately after the word "**districts**" the following:

**", subject to appropriation"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hodges, **House Amendment No. 1 to House Amendment No. 2** was adopted.

Representative Muschany offered **House Substitute Amendment No. 1 for House Amendment No. 2, as amended.**

*House Substitute Amendment No. 1*  
*for*  
*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Section 168.710, Page 36, Line 1, to Page 38, Line 87, by deleting all of said lines and inserting in lieu thereof the following:

**"168.710. 1. Upon an annual appropriation of twenty-five million dollars to be distributed to school districts for a pilot project to recognize excellence in performance by instructional personnel in participating districts as divided under subsections 2 and 3 of this section, the program described in this section shall be in operation, beginning in fiscal year 2010. A district may participate under subsection 2 of this section or may participate under both subsections 2 and 3 of this section.**

2. No more than twenty million dollars per fiscal year shall be used to fund the pilot projects described in this subsection.

(1) In order to be eligible for funding under this subsection, a school district board shall adopt an excellence award program plan that provides for assessment and an award based on the performance of teachers and students assigned to schools in participating districts. All instructional personnel, as defined by the department through rule, are eligible to receive excellence awards, with the exception of substitute teachers. In order to receive an excellence award under this subsection, instructional personnel shall be assessed on the performance of students assigned to their classrooms or within their academic sphere of responsibility. The district school board may not require instructional personnel to apply for an award, or make any presentation, in order to be assessed for or receive an excellence award. The department of elementary and secondary education may not distribute any portion of prorated funding to a district, if the district chooses not to adopt an excellence award program plan under this section. Undistributed funds shall revert to the fund from which the appropriation was made.

(2) The assessments used shall be determined by rule of the state board of education, which shall promulgate rules to provide a variety of methods of objective assessment of student learning gains, expertise in subject matter and teaching practice, and professionalism and leadership. Districts shall select from these methods to assemble an assessment plan.

(3) Each district school board shall inform its employees of the criteria and procedures associated with the school district's excellence award program plan. Upon request, the department shall provide technical assistance to school districts for the purpose of aiding the development of excellence award program plans.

(4) Award plans shall be structured to provide an award of no less than five percent and no more than ten percent of the individual teacher's salary to the district's top ranking twenty percent of instructional personnel who meet the plan requirements in each participating district's schools at the elementary, middle or junior high school, and high school grade ranges.

(5) Review of award plans under this subsection shall adhere to the following criteria:

(a) Each participating district school board shall submit its excellence award program plan to the commissioner of education for review by October first of each year. The plan shall include the district-adopted plan intended for use in the following year. The commissioner shall complete a review of each plan submitted and determine compliance with the requirements of this section by November fifteenth of each year. If a submitted plan fails to meet the requirements of this section, the commissioner shall identify in writing the specific revisions that are required. Revised plans shall be finalized and resubmitted by a school district for the commissioner's review by January thirty-first of each year. The commissioner shall certify qualifying plans to the governor, the president of the senate, and the speaker of the house of representatives by February fifteenth of each year;

(b) Each district school board shall establish a procedure to review both the assessment and award components of its plan annually in order to determine compliance with this section. After this review and by October first of each year, the district school board shall submit a report to the commissioner of education, along with supporting documentation that will enable the commissioner to verify the district's compliance with this section during the prior school year. The commissioner shall submit a report to the governor, the president of the senate, and the speaker of the house of representatives certifying those school district plans that do not comply with this section or whose plans were not implemented in accordance with this section by December first of each year.

(6) Any revision to an approved excellence award program plan under this subsection shall be approved by the district school board and reviewed by the commissioner to determine compliance with this section.

3. No more than five million dollars per fiscal year shall be used to fund the pilot project described in this subsection. The district's award plan under this subsection shall be based on the elements listed below. No district shall be permitted to continue to participate unless it submits its external building evaluation data under opportunity 2 annually to the joint committee on education and annually makes the data available to the school community in conjunction with the information required for annual performance reports. Opportunity 1 shall be an individual award based on the teacher's performance; opportunities 2, 3, and 4 shall be awarded to all teachers assigned to the building.

(1) Opportunity 1, teacher-controlled variables. An individual teacher may earn two and five-tenths percent of his or her base salary by:

(a) Submitting a portfolio, which shall include but not be limited to, grade level expectations, a curriculum outline for the year, daily lesson plans, past student work, current student work, discipline plan, and notes for substitute teachers; and

(b) Achieving a ninety-five percent personal attendance rate.

(2) Opportunity 2, ground level expectations. Teachers assigned to the building may earn:

(a) Two and five-tenths percent of their base salaries if the building:

a. Conducts an external evaluation of the building's performance with anonymous surveys of parents, teachers, administrators and nonteaching staff, and students, which includes:

i. If a high school building, the creation of a student evaluation council composed of no more than ten percent of the senior class selected at the beginning of the second semester of the senior year from students who have a career grade point average of at least three points on a four-point scale or equivalent, to participate in three meetings with the superintendent, building administrator, and selected faculty to conduct exit interviews and anonymous questionnaires and to be available for a followup on academic preparation and job readiness the year after graduation; or

ii. If not a high school building, the implementation of an age-appropriate exit-year interview to gather information on school climate and a survey with anonymous questionnaires taken from a random sample of the building's parents, teachers, staff, and students; and

b. Increases either student attendance or graduation rate by two percentage points over the last year's rate; or

(b) One percent of their base salaries by maintaining at least ninety-three percent student attendance and a ninety percent graduation rate.

(3) Opportunity 3, Missouri assessment program scores. Teachers assigned to the building may earn:

(a) Two and five-tenths percent of their base salaries by increasing the scores on the building's performance index status measure for any two of the mathematics, communication arts, or science assessments by one performance level over the last year; or

(b) One percent of their base salaries by:

a. Raising one of the three assessments status measures to the high 1 or high 2 level; or

b. Maintaining two out of three assessment status measures at the high 1 or high 2 level.

(4) Opportunity 4, building progress report. Teachers assigned to the building may earn:

(a) Two and five-tenths percent of their base salaries by scoring "met" on two accreditation performance indicators that had been scored "not met" last year's annual performance report; or

(b) One percent of their base salaries by scoring "met" on one accreditation performance indicator that was scored "not met" last year or maintaining accreditation with at least twelve of the fourteen performance criteria met for a building with high school grades or six of seven for elementary, middle school or junior high school buildings.

(5) In order for a district to develop a plan to participate in the excellence award program under this subsection, a majority vote of the certificated teachers of the district shall be required. The department shall create a web-based ballot that permits a district's certificated teachers to vote using a method that requires a unique identifier or other means to ensure validity. Voting shall be a confidential process. The department shall report the district's results to the district.

4. Each person who qualifies for an award is required to be an employee of the school district in the fiscal year during which award funds are distributed.

5. Nothing in this section shall be construed to be an element of any school district salary schedule as referred to in subdivision (2) of section 168.110.

6. The joint committee on education shall review the impact of the excellence award program during fiscal year 2012 and again in fiscal year 2014 and shall make recommendations about the continuation of the program for legislative action prior to the scheduled end of the program under subsection 7 of this section. In its review, the joint committee shall consider information from all stakeholders and may issue a request for proposals from any organization without an interest in the matter to conduct research that it deems necessary.

7. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset.

8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to

**review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Robb offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2, as amended.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Substitute Amendment No. 1 for House Amendment No. 2 to House Committee Substitute for House Bill Nos. 2040 & 2430, Page 4, Line 29, and Page 5, Lines 1 to 4 of said amendment, by deleting all of said lines; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Robb, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 081

Bivins	Brandom	Cooper 120	Cooper 155	Cox
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kraus	Lembke	Loehner
May	McGhee	Moore	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Mr Speaker				

NOES: 067

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Cunningham 145	Curls	Darrough	Daus
Dusenberg	Ervin	Fallert	Frame	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Johnson	Kingery	Komo	Kratky
Kuessner	Lampe	Liese	Lipke	Lowe 44
Marsh	McClanahan	Meiners	Munzlinger	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy



Thomson	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Bruns	Donnelly	George	LeVota
Low 39	Meadows	Nasheed	Schneider	Spreng
Wright-Jones	Yates	Young		

VACANCIES: 002

Representative Muschany moved that **House Substitute Amendment No. 1 for House Amendment No. 2, as amended**, be adopted.

Which motion was defeated.

On motion of Representative Holsman, **House Amendment No. 2, as amended**, was adopted.

Representative Holsman offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 38, Section 168.712, Lines 1 to 8, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Talboy offered **House Amendment No. 1 to House Amendment No. 3**.

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill Nos. 2040 & 2430, Page 1, Line 3, by inserting immediately after all of said line the following:

"Further amend said bill, Pages 39 and 40, Section 168.716, Lines 1 to 35, by deleting all of said lines; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Holsman, **House Amendment No. 3, as amended**, was adopted.

Representative Page offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 39, Section 168.714, Line 3, by deleting the words "**two thousand five hundred**" and inserting in lieu thereof the words "**three thousand**"; and

Further amend said bill, Page 39, Section 168.714, Line 6, by deleting the word "**five**" and inserting in lieu thereof the word "**six**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Page, **House Amendment No. 4** was adopted.

Representative Schad offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Section 165.111, Page 22, Line 1, to Page 23, Line 34, by striking said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) resumed the Chair.

Representative Silvey offered **House Substitute Amendment No. 1 for House Amendment No. 5**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 23, Section 165.111, Lines 21 to 27, by deleting all of said lines and inserting in lieu thereof the following:

**"3. For purposes of subsection 2 of this section, "total compensation package" includes, but is not limited to, base salary, retirement benefits, annuities, dues and club memberships, individual or season tickets to any sporting events, amusement parks, or community entertainment events, concerts, housing and auto allowances, mileage reimbursements, entertainment allowances, cell phone or personal digital assistant and service contract, deferred compensation, buy-out clause, pay-for-performance goals, donations from school foundations, and any other valuable consideration provided as cash, credit, or services as a result of employment, expressed in dollars."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares

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Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 053

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Dougherty	El-Amin	Fallert	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	Liese	Low 39	McClanahan
Meiners	Norr	Oxford	Page	Quinn 9
Robinson	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Swinger	Talboy
Todd	Villa	Walsh	Whorton	Wildberger
Witte	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Brown 50	Bruns	Daus	Donnelly
Frame	George	LeVota	Lowe 44	Marsh
May	Meadows	Nasheed	Roorda	Schneider
Spreng	Stevenson	Storch	Vogt	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

On motion of Representative Silvey, **House Substitute Amendment No. 1 for House Amendment No. 5** was adopted by the following vote:

AYES: 082

Baker 25	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Burnett	Casey
Cooper 120	Corcoran	Cox	Cunningham 86	Curls
Darrough	Davis	Denison	Dixon	Dougherty
El-Amin	Emery	Ervin	Faith	Fallert
Flook	Frame	Funderburk	Harris 110	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Jones 89	Jones 117	Kasten	Komo	Kratky
Kraus	Kuessner	Lembke	LeVota	Lipke
Low 39	McGhee	Meiners	Moore	Muschany
Nieves	Onder	Page	Parkinson	Portwood
Quinn 7	Richard	Robb	Ruestman	Salva

Sander	Sater	Schaaf	Scharnhorst	Schoeller
Schoemehl	Self	Silvey	Skaggs	Smith 14
Stevenson	St. Onge	Storch	Stream	Talboy
Tilley	Viebrock	Walsh	Walton	Wilson 130
Zimmerman	Mr Speaker			

NOES: 063

Aull	Chappelle-Nadal	Cooper 155	Cunningham 145	Daus
Day	Deeken	Dethrow	Dusenberg	Fares
Fisher	Franz	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Johnson
Kelly	Kingery	Lampe	Liese	Loehner
May	McClanahan	Munzlinger	Nance	Nolte
Norr	Oxford	Pearce	Pollock	Pratt
Quinn 9	Robinson	Roorda	Rucker	Ruzicka
Scavuzzo	Schad	Schieffer	Schlottach	Shively
Smith 150	Swinger	Thomson	Threlkeld	Todd
Villa	Vogt	Wallace	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bruns	Donnelly	George	Lowe 44
Marsh	Meadows	Nasheed	Parson	Schneider
Spreng	Sutherland	Wright-Jones	Yates	Young
Zweifel				

VACANCIES: 002

Representative Munzlinger offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Section 160.254, Page 8, Line 1, to Page 9, Line 49, by deleting all of said section from the bill; and

Further amend said bill, Section 160.530, Page 15, Line 1, to Page 17, Line 78, by deleting all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muschany offered **House Substitute Amendment No. 1 for House Amendment No. 6.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 15, Section 160.530, Line 13, by deleting "[eighteen] **five**" and inserting in lieu thereof the following:

"eighteen"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Muschany, **House Substitute Amendment No. 1 for House Amendment No. 6** was adopted by the following vote:

AYES: 078

Baker 123	Bivins	Brandom	Bringer	Brown 50
Casey	Cooper 120	Corcoran	Cox	Darrough
Daus	Day	Dixon	Dougherty	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Harris 110	Haywood	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	McClanahan	Meiners	Moore	Muschany
Nieves	Norr	Onder	Oxford	Page
Parkinson	Pollock	Portwood	Robb	Rucker
Ruestman	Salva	Sater	Scavuzzo	Schaaf
Scharnhorst	Schoeller	Schoemehl	Self	Silvey
St. Onge	Storch	Stream	Threlkeld	Tilley
Villa	Vogt	Walsh	Wildberger	Witte
Yaeger	Zimmerman	Mr Speaker		

NOES: 064

Aull	Baker 25	Bland	Brown 30	Burnett
Chappelle-Nadal	Cooper 155	Cunningham 145	Cunningham 86	Davis
Deeken	Denison	Dethrow	Dusenberg	Fallert
Grisamore	Guest	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Kelly	Kingery	Komo
Loehner	Low 39	May	McGhee	Munzlinger
Nance	Nolte	Parson	Pearce	Pratt
Quinn 7	Quinn 9	Richard	Robinson	Roorda
Ruzicka	Sander	Schad	Schieffer	Schlottach
Shively	Skaggs	Smith 14	Smith 150	Swinger
Talboy	Thomson	Todd	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Bruns	Curls	Donnelly	George
Harris 23	Johnson	Lowe 44	Marsh	Meadows
Nasheed	Schneider	Spreng	Stevenson	Sutherland
Wright-Jones	Yates	Young	Zweifel	

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

Representative Aull offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Pages 31 and 32, Section 168.110, Lines 1 to 21, by deleting all of said lines; and

Further amend said bill, Pages 32 and 33, Section 168.126, Lines 1 to 41, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Aull moved that **House Amendment No. 7** be adopted.

Which motion was defeated.

Representative Corcoran offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Section 168.714, Page 39, Line 18, by deleting the word "**not**"; and

Further amend said bill, Section 168.716, Page 40, Line 25, by deleting the word "**not**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Corcoran, **House Amendment No. 8** was adopted.

Representative Schieffer offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Pages 35 and 36, Section 168.295, Lines 1 to 43, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Schieffer moved that **House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 067

Aull	Baker 25	Bland	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Dougherty	El-Amin
Fallert	Frame	Grill	Guest	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hubbard
Hughes	Johnson	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	McGhee	Meiners	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Smith 150	St. Onge	Storch	Sutherland	Swinger
Talboy	Todd	Viebrock	Villa	Vogt

Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

NOES: 078

Baker 123	Brandom	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Hobbs	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Lipke	Loehner
May	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Stevenson
Stream	Thomson	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bivins	Bruns	Donnelly	George
Lowe 44	Marsh	Meadows	Nasheed	Robinson
Schneider	Spreng	Wright-Jones	Yates	Young
Zweifel				

VACANCIES: 002

Representative Scharnhorst offered **House Amendment No. 10.**

*House Amendment No. 10*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 2, Section 135.1202, Line 23, by inserting after the word "**that**" the following:

**"employs teachers qualified to teach special education,"**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Flook offered **House Substitute Amendment No. 1 for House Amendment No. 10.**

*House Substitute Amendment No. 1*

*for*

*House Amendment No. 10*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 2, Section 135.1202, Lines 11 to 17, by deleting all of said lines and inserting in lieu thereof the following:

"(6) **"Eligible student"**, any elementary or secondary student who attended public school in Missouri the preceding semester, or who will be attending school in Missouri for the first time, with an individualized education program for students who are mentally handicapped, speech and language impaired, deaf or hard of hearing, visually impaired, dual sensory impaired, physically impaired, emotionally handicapped, specific learning disabled, diagnosed with an autism spectrum disorder, or hospitalized or homebound due to illness or disability"; and

Further amend said bill, Page 2, Section 135.1202, Lines 21 to 26, by deleting all of said lines and inserting in lieu thereof the following:

"(9) **"Qualified school"**, either a public elementary or secondary school outside of the district in which a student resides or a nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and:

- (a) **Complies with all health and safety laws or codes that apply to nonpublic school;**
- (b) **Holds a valid occupancy permit if required by its municipality or local government entity; and**
- (c) **Requires criminal background checks for employees and excludes from employment any person not permitted by state law;"; and**

Further amend said bill, Page 5, Section 135.1204, Lines 33 to 40, by deleting all of said lines and inserting in lieu thereof the following:

**"2. Each scholarship granting organization shall ensure participating schools that accept its scholarship students shall:**

- (1) Certify that they will comply with 42 U.S.C. 1981; and**
- (2) Provide academic accountability to parents of the students in the program by regularly reporting to the parent on the student's progress."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 10** goes beyond the scope of the underlying amendment and is not a true substitute amendment.

The Chair ruled the points of order not well taken.

Representative Jones (89) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 10**.

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 10*

AMEND House Substitute Amendment No. 1 for House Amendment No. 10 to House Committee Substitute for House Bill Nos. 2040 & 2430, Page 1, Line 8 of said amendment, by inserting immediately after the word **"disability"** the following:

**"or other disability as required by P.L. 99-457, as codified and as may be amended"; and**

Further amend said amendment, Page 1, Lines 12 to 19 of said amendment, by deleting all of said lines and inserting in lieu thereof the following:



"(9) "Qualified school", either a public elementary or secondary school outside of the district in which a student resides or a nonpublic elementary or secondary school in Missouri that complies with all of the requirements of the program and:

(a) Complies with all health and safety laws or codes that apply to nonpublic school including immunizations in section 167.181, RSMo, and eye protection during laboratory courses in sections 170.005 to 170.009, RSMo;

(b) Holds a valid occupancy permit if required by its municipality or local government entity;

(c) Certifies it will comply with 42 U.S.C. 1981;

(d) Provides academic accountability to parents of the students in the program by regularly reporting to the parent on the student's progress;

(e) Conforms to the annual audit requirements relating to Section 501(c)(3) organizations and shall make parents aware that an audit is available and provides copies upon request;

(f) Employs or contracts with teachers who:

a. Hold baccalaureate or higher degree;

b. Have at least three years of teaching experience in public or private schools; or

c. Have special skills, knowledge, or expertise that qualifies them to provide instruction:

i. In the subjects taught; and

ii. To the students taught; and

iii. Provide to the parents the relevant credentials of the teachers who will be teaching their students;

(g) Requires its scholarship students to take the appropriate statewide assessments, except those with individualized education programs that specify that such assessment would not be appropriate. The assessments shall be administered by the home district and the qualified school shall use scholarship funds to reimburse the district for the cost of administering the assessment. results shall be provided to parent sp each educational scholarship recipients. The results of the scholarship recipients shall not be considered for purposes of school accreditation or for purposes of the federal No Child Left Behind Act; and

(h) Requires criminal background checks for employees and excludes from employment any person not permitted by state law;"; and

Further amend said amendment, Page 2, Lines 4 to 8 of said amendment, by deleting all of said lines and inserting in lieu thereof the following:

**"2. Each scholarship granting organization shall ensure participating schools that accept its scholarship students shall comply with the requirements of subdivision (9) of subsection 1 of section 135.1202.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 10** was adopted.

On motion of Representative Flook, **House Substitute Amendment No. 1 for House Amendment No. 10, as amended**, was adopted.

Representative Hughes offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Section 135.1202, Page 4, Line 97, by inserting after said line the following:

**"9. Notwithstanding any provision of the law to the contrary, any eligible student who receives and educational scholarship under the provisions of this section and, as a result, attends a non-public school, shall be enumerated in the weighted average daily attendance calculation of the public school district which the student attended immediately prior to receiving the educational scholarship for each academic year in which the student receives the educational scholarship.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hughes, **House Amendment No. 11** was adopted.

Representative Wallace offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Committee Substitute for House Bill Nos. 2040 & 2430, Page 1, Line 1 of Section 135.1200, 135.1202, 135.1204, 135.1206, 135.1208, to Page 8, Line 11, of Section 135.1210, by deleting all of said sections from the bill; and

Further amend said bill, Section 162.1168, Page 20, Lines 33 and 34, by deleting all of said lines and inserting in lieu thereof the following:

**"dependents of active duty military personnel.";** and

Further amend said bill, Section 168.714, Page 39, Lines 4 to 5, by deleting the following:

**"or in any area needed to teach a child with a diagnosis of autism, as defined in section 135.1202, RSMo";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hughes raised a point of order that **House Amendment No. 12** amends previously amended material.

The Chair ruled the point of order not timely.

Representative Nieves resumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wallace, **House Amendment No. 12** was adopted by the following vote:

AYES: 080

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Decken	Denison
Dethrow	Dusenberg	Fallert	Fares	Fisher
Frame	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Liese	Loehner	Low 39
McClanahan	Norr	Oxford	Page	Pearce
Pollock	Quinn 9	Robinson	Roorda	Rucker
Ruzicka	Salva	Sater	Scavuzzo	Schad
Schieffer	Schoemehl	Shively	Skaggs	Smith 150
Storch	Swinger	Talboy	Thomson	Todd
Viebrock	Vogt	Wallace	Walsh	Wasson

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Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Yaeger	Zimmerman

NOES: 058

Brandom	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Dixon	Dougherty
El-Amin	Emery	Ervin	Faith	Flook
Franz	Funderburk	Hoskins	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kasten
Lipke	May	McGhee	Meiners	Moore
Muschany	Nieves	Nolte	Onder	Parkinson
Parson	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Sander	Schaaf	Scharnhorst
Schoeller	Self	Silvey	Smith 14	Stevenson
St. Onge	Stream	Sutherland	Threlkeld	Tilley
Villa	Walton	Mr Speaker		

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Bivins	Brown 50	Bruns	Donnelly
George	Johnson	Lembke	LeVota	Lowe 44
Marsh	Meadows	Munzlinger	Nance	Nasheed
Schlottach	Schneider	Spreng	Wright 159	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

**HCS HBs 2040 & 2430, as amended,** was laid over.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HBs 1321 & 1695** - Fiscal Review (Fiscal Note)

**HCS HB 1332** - Fiscal Review (Fiscal Note)

**HCS HB 1550** - Fiscal Review (Fiscal Note)

**HB 2460** - Conservation and Natural Resources

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SB 822** - Special Committee on Government Affairs

**SCS SB 939** - Special Committee on General Laws

## **COMMITTEE REPORTS**

### **Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1319** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

### **Committee on Budget**, Chairman Icet reporting:

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2016**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Budget, to which was referred **HB 2023**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Committee on Conservation and Natural Resources**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 2034**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Committee on Corrections and Public Institutions**, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 2202**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **HB 2590**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Committee on Higher Education**, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 967**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 2266**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SCS SB 1039**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Health Insurance**, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **HB 2282**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HCR 43** and **HCR 46**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE CONCURRENT RESOLUTION NOS. 43 & 46

WHEREAS, The Boeing Company Integrated Defense Systems (Boeing), based in St. Louis, Missouri, has been building and maintaining refueling tankers for the United States Air Force (USAF) for 50 years and has more experience building tankers than any other company in the world; and

WHEREAS, Boeing has proposed the KC-767 as a replacement for the KC-135 Stratotanker, an American-made tanker that has been in use since 1958; and

WHEREAS, the KC-767 meets or exceeds all USAF requirements, including range and fuel offload capabilities, mission flexibility for carrying patients, passengers, and material; and

WHEREAS, the KC-767 will interoperate with 99% of USAF's existing equipment, saving an estimated \$4 billion in lifecycle costs, and will operate from existing infrastructure throughout the world saving the expense of costly runway, tarmac, and hangar expansion required for a larger plane; and

WHEREAS, the KC-767 would have created or sustained 44,000 jobs in 40 states with 300 suppliers; and

WHEREAS, on February 29, 2008, the USAF announced the selection of European Aeronautic Defence and Space Company (EADS), a company based in France, and its partner Northrop Grumman Corporation, for a contract to replace aerial refueling tankers, a contract that could reach in excess of \$100 billion in value; and

WHEREAS, the U.S. Government has a WTO lawsuit pending against EADS regarding illegal subsidies that have caused great harm to U.S. Industry; and

WHEREAS, EADS routinely sells military products and technology to countries on the U.S. Embargo list; and

WHEREAS, the EADS tanker is wasteful and bad for the environment as it burns 24% more fuel and pumps 30% greater emissions into our environment than the KC-767; and

WHEREAS, EADS and Northrop Grumman have never jointly built a tanker aircraft or delivered an air-to-air refueling boom, while Boeing has built and upgraded over 2,000 operational tankers and delivered over 1,800 air-to-air refueling booms; and

WHEREAS, given the current state of the U.S. economy, taxpayer dollars should not be used to fund the economic growth of European countries, while America loses 44,000 quality jobs associated with the KC-767; and

WHEREAS, relying on a foreign supplier of military equipment is unwise and not in the national security interest of the country:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the United States Air Force to reconsider its decision to replace the KC-135 refueling tanker with a tanker supplied by a foreign company that is substantially built in foreign countries; and

BE IT FURTHER RESOLVED that the General Assembly strongly urges the President of the United States and Congress to immediately and vigorously investigate the proposed outsourcing of taxpayer-funded jobs, and its impact on the U.S. economy and the procurement process that made possible this transfer of billions of dollars to foreign workers; and

BE IT FURTHER RESOLVED that the General Assembly urge the President of the United States and Congress to investigate and thoroughly review the benefits, costs, and national security risks associated with contracting for the design and construction of high-technology military equipment and systems in and by foreign nations which may not always share U.S. interests, objectives, and missions; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the President of the United States, the United States Secretary of Defense, the Secretary of the Air Force, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **SB 1073**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Workforce Development and Workplace Safety**, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 2429**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1990**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2059**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2078**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 HB 2106**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2239**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2260**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 885**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 942**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **COMMITTEE CHANGE**

The Speaker submitted the following Committee change:

Representative Parson has been appointed a member of the Special Committee on Utilities.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, April 10, 2008.

### **CORRECTION TO THE HOUSE JOURNAL**

#### **AFFIDAVIT**

I, State Representative Terry L. Witte, District 10, hereby state and affirm that my vote as recorded on Page 812 of the House Journal for April 8, 2008 was incorrectly recorded as present. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 9th day of April 2008.

/s/ Terry L. Witte  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
 )  
Notary commissioned in County of Miller )

Subscribed and sworn to before me this 9th day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

## **COMMITTEE MEETINGS**

### **CONSERVATION AND NATURAL RESOURCES**

Thursday, April 10, 2008, 8:00 a.m. House Chamber south gallery.

Executive session will follow.

Public hearing to be held on: SB 956

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 723, SB 733, SB 932

### **ELECTIONS**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 2.

Executive session may follow.

Public hearings to be held on: SB 797, SB 1288

### **FISCAL REVIEW**

Thursday, April 10, 2008, 8:30 a.m. House Chamber south gallery.

Any bills presented to this committee.

Note time change from upon morning adjournment to 8:30 a.m.

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

### **JUDICIARY**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED.

Public hearings to be held on: SB 976, SB 1016, SCS SB 1033,  
SB 1074, SB 1151, SCS SB 1235

### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, April 10, 2008, Hearing Room 5 upon morning adjournment.

Hearing will begin twenty (20) minutes after adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HB 2590, HB 2266, HB 1851, HCS HB 2110,  
HCS HB 1438, HB 2202, SB 801, SB 1073, HCS SCS SB 1039

### **SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Thursday, April 10, 2008, 9:00 a.m. Hearing Room 1.

Public hearings to be held on: HB 2289, SCS SB 1131,  
SCS SB 1150, SB 1140, SB 1175



**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 10, 2008, 8:00 a.m. House Chamber north gallery.

Committee will discuss a proposed House Committee Substitute for Insure Missouri.

If needed, the committee will meet in HR 6 upon afternoon adjournment.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 10, 2008, Hearing Room 6 upon afternoon adjournment.

Committee will discuss a proposed House Committee Substitute for Insure Missouri.

Executive session may follow.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1701, HB 2487, SCS SB 850,

SB 1061, SB 1177, SB 1190

**SPECIAL COMMITTEE ON RETIREMENT**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 1902, SCS SBs 1153, 1154, 1155 & 1156, SB 980

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Thursday, April 10, 2008, 9:30 a.m. House Chamber south gallery.

Executive session.

Public hearing to be held on: HB 2129

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Thursday, April 10, 2008, 8:45 a.m. Hearing Room 4.

Executive session will follow.

Public hearing to be held on: SB 1187

**SPECIAL COMMITTEE ON UTILITIES**

Thursday, April 10, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SB 928, SB 958, SCS SBs 1034 & 802

**TRANSPORTATION**

Thursday, April 10, 2008, 9:30 a.m. House Chamber north gallery.

Executive session.

**WAYS AND MEANS**

Thursday, April 10, 2008, 8:00 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 2417, SB 979

**HOUSE CALENDAR**

FIFTY-FIRST DAY, THURSDAY, APRIL 10, 2008

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 49 - Cox
- 2 HCS HJR 71 - Fisher

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HBs 1788 & 1882 - Day
- 8 HCS HB 1802 - Wilson (130)
- 9 HCS HB 1644 - Muschany
- 10 HCS HB 1813 - Dougherty
- 11 HCS HB 1649 - Franz
- 12 HCS#2 HB 1423 - St. Onge
- 13 HCS HBs 2062 & 1518 - Pearce
- 14 HCS HB 1474 - Cunningham (86)
- 15 HCS HB 2250 - Sutherland
- 16 HB 1957 - Hughes
- 17 HB 1756 - Walton
- 18 HCS HB 2060 - Deeken
- 19 HB 2144 - Whorton
- 20 HB 1535 - Deeken
- 21 HB 1517 - Cox
- 22 HCS HB 2112 - Emery
- 23 HB 1372 - McGhee
- 24 HCS HB 1590 - Munzlinger
- 25 HCS HB 1504 - Walton
- 26 HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HCS HJR 70 - Icet

### **HOUSE BILLS FOR THIRD READING**

- 1 HB 1319 - Brown (50)
- 2 HCS HB 1929 - Cooper (120)
- 3 HCS HB 2321 - Dixon
- 4 HB 1923, (Fiscal Review 4-08-08) - Jones (117)
- 5 HB 1981, (Fiscal Review 4-08-08) - Spreng
- 6 HCS HBs 1321 & 1695, (Fiscal Review 4-09-08) - Sutherland
- 7 HB 1716 - Guest
- 8 HCS HB 1550, (Fiscal Review 4-09-08) - Stevenson
- 9 HCS HB 2328 - Wasson
- 10 HCS HBs 1549, 1771, 1395 & 2366 - Onder
- 11 HCS HB 1332, (Fiscal Review 4-09-08) - Sater

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 8 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)

### **SENATE BILL FOR THIRD READING**

SB 1066 - Muschany

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-FIRST DAY, THURSDAY, APRIL 10, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

"To you our praise is due, O God.

You care for the earth, give it water....

You drench its furrows,  
You level it, soften it with showers,  
You bless its growth."  
*(Psalm 65:1, 10 and 11)*

Almighty God, we praise and thank You for the blessing of rainfall and for every blessing You shower upon us.

We pray for the safety of those where too much rain has fallen and where flood waters have invaded. We pray especially for the safety of those who have had to leave their homes. By Your inspiration, may others step forward to help them.

And we pray, Almighty God, for the safety of those whose lives are threatened by artillery and bullets raining down or roadside and terrorist bombs springing up. May the leaders of our nation and of all the nations learn how to end all wars.

O Lord, as You bless the land with rain again this morning, bless us with Your grace that we may honor You with the integrity of our work today.

To You be blessing and glory, forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Vanna Barton, Adam Milan, Tanner Lorenz and Toni Wilkins.

The Journal of the fiftieth day was approved as corrected by the following vote:

AYES: 124

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Corcoran	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	El-Amin	Emery

Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Zimmerman	

NOES: 006

Daus	Donnelly	George	Lowe 44	Talboy
Whorton				

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 030

Avery	Baker 123	Cooper 155	Cox	Dougherty
Dusenberg	Franz	Harris 23	Haywood	Holsman
Hunter	Low 39	May	Meadows	Page
Parkinson	Richard	Roorda	Rucker	Schneider
Spreng	Stevenson	Viebrock	Vogt	Walton
Wright-Jones	Yates	Young	Zweifel	Mr Speaker

VACANCIES: 002

## HOUSE RESOLUTION

Representative Parson offered House Resolution No. 1747.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1730 through House Resolution No. 1746  
House Resolution No. 1748

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 1321 & 1695** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1332** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1550** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1923** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 1981** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 70**, relating to limits on state appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HJR 70** was read the third time and passed by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrrough	Daus	Donnelly	Fallert	Fares
Frame	George	Grill	Harris 23	Harris 110

Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meiners	Nance	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Wallace	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	El-Amin	Hunter	Jones 89	Low 39
Meadows	Schneider	Spreng	Wright-Jones	Yates
Young	Zweifel			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HB 1319**, relating to a credit for employers of students, was taken up by Representative Brown (50).

On motion of Representative Brown (50), **HB 1319** was read the third time and passed by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Lipke
Loehner	Lowe 44	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch

Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Mr Speaker	

NOES: 006

Daus	Davis	Frame	Schad	Villa
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Burnett	Dougherty	Hobbs	Liese
Low 39	McClanahan	Meadows	Nasheed	Schneider
Spreng	Wasson	Wright-Jones	Yates	Young
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 2321**, relating to voter registration, was taken up by Representative Dixon.

On motion of Representative Dixon, **HCS HB 2321** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd



Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Zimmerman	Mr Speaker	

NOES: 004

Brown 50	Daus	Johnson	Robinson
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PRESENT: 001

Pollock

ABSENT WITH LEAVE: 012

Avery	Dougherty	Hunter	Low 39	Lowe 44
Meadows	Schneider	Spreng	Wright-Jones	Yates
Young	Zweifel			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

## **RECESS**

On motion of Representative Tilley, the House recessed until 12:00 p.m.

## **MEMORIAL SERVICE**

House of Representatives  
Memorial Service  
April 10, 2008

### **Presentation of Colors**

Missouri Highway Patrol Troop F Honor Guard

### **Pledge of Allegiance to the Flag**

### **The National Anthem**

General Assembly Gospel Singers

Hon. Delbert Scott	Dan Summers
Gary Marble	Larry Rohrbach

### **Prayer**

Hon. Ron Casey

### **Reading of Memorial List**

Hon. Gina Walsh

### **Violinist**

Erica Shih (Jefferson City High School)

### **The Lord's Prayer**

Hon. Rachel Bringer

**Memorial Address**

Hon. Rod Jetton, Speaker of the House

**“Ave Maria”**

Hon. Rachel Storch

**Closing Prayer**

Hon. Brian Baker

**Taps**

Jerry Ford (former legislator)

**Retirement of Colors**

<b>In Memoriam</b>	<b>Districts or Counties Served</b>	<b>Years Served</b>
Ray Adams	101	2002-03
Oliver Amick	160	1988-90
Lloyd Baker	15, 97	1964-80
J.B. “Jet” Banks	St. Louis City	1968-74
William T. Barton	Montgomery	1935-44
Otto Bean, Jr.	163	2002-06
Charles Becker	Jefferson County	1972-84
Daniel Bishop	38	2002-04
Everett Brown	5	1976-90
Richard Byrd	94	2000-04
Mervin Case	146, 148	1964, 68/ 1984-90
John Conley	15, 75	1962-66/ 1970
Eugene Copeland	159, 161	1960-96
Phillip B. Curls, Jr.	28, 39, Sen. 9	1972-82/ 1983-96
Jack S. Curtis	Greene	1954-66
Doratheia Davis	63	1993-98
Richard DeCoster	1, 94	1954-56 1964-76
Ronald N. DePasco	24, 37, Sen. 11	1977-03
Frank Ellis	150, 153, 154	1962-68/ 1972-88
Alex Fazzino	1, 22, 35	1969-84
John Fowler	3	1978-84
Robert L. Fowler	69, 80	1972-82
Jess Garnett	147, 151	1986-94
Russell Goward	76, 65, 60	1966-96
Patrick J. Hickey	2, 3, 31, 72, 83	1958-68/ 1977-90
Austin Hill	Howard	1946-52
James A. Hofman	54	1976-80
William O. Howard	49, 16	1972-76/ 1984-88
George Kelly, Jr.	130	1992
Maurice Lawson	29	1996-2000
Margot Lubensky	Boone	1965-66

Charles D. Mahnkey	Taney	1934/ 1944-48
Francis Markwell	55	1976-80
Gladys Marriott	16, 37, 51	1966-86
Thomas W. Marshall	116, 26	1984-94
Phillip Meier	71	1976
Wesley A. Miller	121, 108	1972-90
Neil Molloy	81, 71	1984-92
Matthew W. O'Neill	66	1984-94
George H. Pace	Marion	1960-64
Henry Panethiere	Sen. 11	1976-88
Opal W. Parks	162	1986-90
Donald M. Randall	82, 8	1970-74
Geralyn "Annie" Reinhart	34	1996-2000
David L. Reynolds	77	1994-2000
Earl L. Schlef	28, 60, 78	1966-84
Charles Sheehan	1, 32	1962-68
Norman Sheldon	107, 104	1988-96
Johnie B. Skaggs	Howell	1936-40
Paul C. Sombart	115, 117	1990-94
Alfred A. Speer, II	8, 12	1960-64
Albert M. Spalding, Jr.	Sen. 27	1952-72
Danny L. Staples	153, Sen. 20	1976-80/ 1982-94
Dorman L. Steelman	Dent	1957-62
Larry Taylor	68, Sen. 29	2002/2004
Larry J. Thomason	163	1988-96
Granvil B. Vaughan	163	1962-70
Charlotte J. Waits	35	1976
Reno Warnke	Morgan	1950-52 1962-74
John "Harry" Wiggins	Sen. 10	1975-02
Thomas G. Woolsey	Sen. 33	1960-64
Robert Young, III	1, 2, 77, Sen. 24	1956-60/ 1962-74

**Family Escorts**

Hon. Sally Faith	Hon. Michael Vogt
Hon. Bryan Pratt	Hon. Marilyn Ruestman
Hon. Rick Stream	Hon. Albert Liese
Hon. Terry Swinger	Hon. Kenny Jones
Hon. Michael Spreng	Hon. Rodney Schad
Hon. Michael Corcoran	Hon. Tom Todd
Hon. Frank Barnitz	Hon. Ward Franz
Hon. Paul LeVota	Hon. Connie Johnson
Hon. Gayle Kingery	Hon. Rodney Hubbard

**Staff Acknowledgements**

Hon. Rod Jetton  
Hon. Gina Walsh  
Aaron Willard  
Betty Pringer  
Kay Fitzpatrick  
Jonathan Russell  
Nick Hoffman

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### THIRD READING OF HOUSE BILLS

**HB 1923**, relating to corporate filings, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HB 1923** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	El-Amin	Harris 23	Haywood
Low 39	Meadows	Nolte	Oxford	Rucker
Schneider	Spreng	Wright-Jones	Yates	Young
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HB 1981**, relating to a tax credit for certain vehicles, was taken up by Representative Frame.

On motion of Representative Frame, **HB 1981** was read the third time and passed by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hughes
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robinson
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Zimmerman	Mr Speaker	

NOES: 004

Dethrow	Icet	Robb	Schad
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PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Corcoran	Harris 23	Haywood	Hubbard
Hunter	Low 39	Lowe 44	Meadows	Nolte
Oxford	Rucker	Schneider	Spreng	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Jones (89) assumed the Chair.

**HCS HBs 1321 & 1695**, relating to property taxation, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HBs 1321 & 1695** was read the third time and passed by the following vote:

AYES: 138

Baker 25	Baker 123	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Zimmerman	Mr Speaker		

NOES: 007

Aull	Bringer	Robinson	Rucker	Swinger
Talboy	Wallace			

PRESENT: 003

Fares	Lowe 44	Oxford
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ABSENT WITH LEAVE: 013

Avery	Harris 23	Haywood	Meadows	Nolte
Salva	Schneider	Spreng	Wildberger	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

Representative Jones (89) declared the bill passed.

**HB 1716**, relating to the Federal Real ID Act of 2005, was taken up by Representative Guest.

On motion of Representative Guest, **HB 1716** was read the third time and passed by the following vote:

AYES: 138

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Zimmerman	Mr Speaker		

NOES: 003

Roorda	Schaaf	St. Onge
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PRESENT: 001

Cunningham 86

ABSENT WITH LEAVE: 019

Avery	Cooper 120	Corcoran	Donnelly	El-Amin
Harris 23	Haywood	Hunter	Kuessner	Meadows
Nolte	Schneider	Self	Spreng	Wildberger
Wright-Jones	Yates	Young	Zweifel	

VACANCIES: 002

Representative Jones (89) declared the bill passed.

**HCS HB 1332**, relating to pharmacy audits, was taken up by Representative Sater.

Representative Stevenson offered **House Perfecting Amendment No. 1**.

*House Perfecting Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1332, Section 1, Page 4, Line 31, by deleting the word “**of**” and inserting in lieu thereof the word “**or**”; and

Further amend said bill and section, Page 5, Line 70, by deleting the word “**referenced**” and inserting in lieu thereof the word “**references**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Sater, **HCS HB 1332, as amended**, was read the third time and passed by the following vote:

AYES: 126

Aull	Bivins	Bland	Brandom	Brown 30
Brown 50	Bruns	Casey	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Ice
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schamhorst
Schieffer	Schlottach	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159				

NOES: 019

Bringer	Burnett	Chappelle-Nadal	Donnelly	El-Amin
George	Hughes	Johnson	Low 39	Lowe 44
Nasheed	Oxford	Schoemehl	Storch	Talboy
Villa	Whorton	Yaeger	Zimmerman	



PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 25	Baker 123	Cooper 120	Harris 23
Haywood	Kasten	Meadows	Schneider	Spreng
Wildberger	Wright-Jones	Yates	Young	Zweifel
Mr Speaker				

VACANCIES: 002

Representative Jones (89) declared the bill passed.

**HCS HBs 1549, 1771, 1395 & 2366**, relating to illegal aliens, was taken up by Representative Onder.

On motion of Representative Onder, **HCS HBs 1549, 1771, 1395 & 2366** was read the third time and passed by the following vote:

AYES: 124

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Mr Speaker	

NOES: 016

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Daus	Hubbard	Hughes	Low 39	Lowe 44
Oxford	Talboy	Villa	Vogt	Yaeger
Zimmerman				

PRESENT: 005

Liese	Roorda	Schoemehl	Walsh	Whorton
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ABSENT WITH LEAVE: 016

Avery	Donnelly	Harris 23	Haywood	Hunter
Johnson	LeVota	Meadows	Nasheed	Schneider
Spreng	Wildberger	Wright-Jones	Yates	Young
Zweifel				

VACANCIES: 002

Representative Jones (89) declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

**HCR 20** - Special Committee on Small Business  
**HCR 34** - Special Committee on Tourism  
**HCR 35** - Special Committee on Tourism  
**HCR 36** - Special Committee on Small Business

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

**HJR 44** - Elections  
**HJR 75** - Ways and Means  
**HJR 79** - Ways and Means

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 1334** - Judiciary  
**HB 1435** - Special Committee on Health Insurance  
**HB 1441** - Crime Prevention and Public Safety  
**HB 1442** - Crime Prevention and Public Safety  
**HB 1451** - Judiciary  
**HB 1452** - Local Government  
**HB 1453** - Local Government  
**HB 1457** - Crime Prevention and Public Safety  
**HB 1461** - Judiciary  
**HB 1558** - Special Committee on Health Insurance  
**HB 1602** - Elections

**HB 1603** - Local Government  
**HB 1606** - Special Committee on Utilities  
**HB 1612** - Special Committee on Job Creation and Economic Development  
**HB 1613** - Special Committee on Job Creation and Economic Development  
**HB 1614** - Crime Prevention and Public Safety  
**HB 1615** - Health Care Policy  
**HB 1635** - Special Committee on Financial Institutions  
**HB 1663** - Judiciary  
**HB 1667** - Special Committee on Financial Institutions  
**HB 1672** - Crime Prevention and Public Safety  
**HB 1699** - Special Committee on Job Creation and Economic Development  
**HB 1713** - Special Committee on Small Business  
**HB 1748** - Special Committee on Student Achievement  
**HB 1750** - Special Committee on Healthcare Transformation  
**HB 1752** - Special Committee on Family Services  
**HB 1754** - Elections  
**HB 1755** - Local Government  
**HB 1769** - Special Committee on Utilities  
**HB 1770** - Corrections and Public Institutions  
**HB 1785** - Special Committee on Workforce Development and Workplace Safety  
**HB 1820** - Judiciary  
**HB 1821** - Elections  
**HB 1822** - Elections  
**HB 1830** - Crime Prevention and Public Safety  
**HB 1834** - Special Committee on Family Services  
**HB 1835** - Special Committee on Family Services  
**HB 1837** - Judiciary  
**HB 1844** - Elections  
**HB 1845** - Transportation  
**HB 1847** - Agriculture Policy  
**HB 1848** - Special Committee on Urban Education Reform  
**HB 1859** - Special Committee on Energy and Environment  
**HB 1863** - Special Committee on Energy and Environment  
**HB 1865** - Special Committee on Job Creation and Economic Development  
**HB 1897** - Special Committee on Tourism  
**HB 1906** - Elections  
**HB 1916** - Special Committee on Government Affairs  
**HB 1925** - Ways and Means  
**HB 1927** - Crime Prevention and Public Safety  
**HB 1939** - Special Committee on Workforce Development and Workplace Safety  
**HB 1947** - Elementary and Secondary Education  
**HB 1968** - Elections  
**HB 1969** - Judiciary  
**HB 2050** - Elementary and Secondary Education  
**HB 2063** - Special Committee on Small Business  
**HB 2232** - Special Committee on General Laws  
**HB 2235** - Special Committee on Homeland Security

**HB 2236** - Special Committee on Workforce Development and Workplace Safety  
**HB 2237** - Special Committee on Immigration  
**HB 2249** - Special Committee on Small Business  
**HB 2259** - Special Committee on Senior Citizen Advocacy  
**HB 2263** - Special Committee on Small Business  
**HB 2270** - Crime Prevention and Public Safety  
**HB 2271** - Special Committee on Workforce Development and Workplace Safety  
**HB 2272** - Special Committee on Family Services  
**HB 2276** - Ways and Means  
**HB 2281** - Elementary and Secondary Education  
**HB 2284** - Special Committee on Small Business  
**HB 2306** - Crime Prevention and Public Safety  
**HB 2326** - Crime Prevention and Public Safety  
**HB 2327** - Special Committee on Veterans  
**HB 2329** - Special Committee on Professional Registration and Licensing  
**HB 2332** - Special Committee on Small Business  
**HB 2336** - Transportation  
**HB 2339** - Special Committee on Small Business  
**HB 2347** - Local Government  
**HB 2361** - Ways and Means  
**HB 2362** - Special Committee on Small Business  
**HB 2369** - Special Committee on Small Business  
**HB 2371** - Crime Prevention and Public Safety  
**HB 2372** - Special Committee on Utilities  
**HB 2373** - Crime Prevention and Public Safety  
**HB 2384** - Crime Prevention and Public Safety  
**HB 2396** - Local Government  
**HB 2404** - Special Committee on Urban Education Reform  
**HB 2405** - Ways and Means  
**HB 2419** - Health Care Policy  
**HB 2427** - Special Committee on Small Business  
**HB 2471** - Transportation  
**HB 2472** - Special Committee on Small Business  
**HB 2485** - Special Committee on Small Business  
**HB 2489** - Elementary and Secondary Education  
**HB 2516** - Transportation  
**HB 2527** - Special Committee on Family Services  
**HB 2529** - Special Committee on General Laws  
**HB 2537** - Elementary and Secondary Education  
**HB 2543** - Special Committee on Small Business  
**HB 2544** - Local Government  
**HB 2547** - Elementary and Secondary Education  
**HB 2550** - Local Government  
**HB 2555** - Special Committee on Small Business  
**HB 2562** - Special Committee on Small Business  
**HB 2565** - Special Committee on Small Business  
**HB 2581** - Health Care Policy

**HB 2586** - Special Committee on Financial Institutions

**HB 2594** - Special Committee on Professional Registration and Licensing

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SCS SB 942** - Fiscal Review (Fiscal Note)

**SCS SB 724** - Special Committee on Professional Registration and Licensing

**SS SCS SBs 761 & 774** - Transportation

**SCS SB 765** - Local Government

**SS SCS SBs 818 & 795** - Crime Prevention and Public Safety

**SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269** - Special Committee on Immigration

**SB 863** - Special Committee on Student Achievement

**SCS SBs 930 & 947** - Transportation

**SS SCS SB 1059** - Special Committee on Financial Institutions

**SCS SB 1105** - Special Committee on Tax Reform

**SB 1116** - Special Committee on Energy and Environment

**SB 1141** - Elections

**SCS SB 1185** - Judiciary

### **COMMITTEE REPORTS**

**Committee on Conservation and Natural Resources**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SB 956**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Corrections and Public Institutions**, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SB 1010**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 723**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 733**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SB 932**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **HB 2114**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 797**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 978**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 839**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SB 1068**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 1016**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1033**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 1074**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1235**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 820**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 896**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 943**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 1002**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 1044**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 1135**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Financial Institutions**, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **SS SCS SB 944**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **SCS SB 1168**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1764**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SCS SB 1131**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SCS SB 1150**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1933**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Health Insurance**, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **SCS SB 1008**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 850**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 1061**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 1177**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SB 1190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



**Special Committee on Retirement**, Chairman Wallace reporting:

Mr. Speaker: Your Special Committee on Retirement, to which was referred **SB 980**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Retirement, to which was referred **SCS SBs 1153, 1154, 1155 & 1156**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Senior Citizen Advocacy**, Chairman Nance reporting:

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 1871**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Senior Citizen Advocacy, to which was referred **HB 2343**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Small Business**, Chairman Ervin reporting:

Mr. Speaker: Your Special Committee on Small Business, to which was referred **HB 2129**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on State Parks and Waterways**, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **SB 1187**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SB 928**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 15

WHEREAS, the Commercial Motor Vehicle Safety Act of 1986 was signed into law with the goal to improve highway safety by ensuring that drivers of large trucks and buses are qualified to operate those vehicles and to remove unsafe and unqualified drivers from the highways; and

WHEREAS, the federal Act retained a State's right to issue a driver's license, but established minimum national standards which States must meet when licensing commercial motor vehicle drivers; and

WHEREAS, the federal Act corrected the situation that existed prior to 1986 by making it illegal to hold more than one license and by requiring States to adopt testing and licensing standards for truck and bus drivers to check a person's ability to operate the type of vehicle the driver plans to operate; and

WHEREAS, since April 1, 1992, drivers have been required to have a commercial driver's license (CDL) in order to drive a commercial motor vehicle. The Federal Highway Administration (FHWA) issued standards for testing and licensing of commercial motor vehicle drivers which require States to issue CDLs to their commercial motor vehicle drivers only after the driver passes knowledge and skills tests administered by the State related to the type of vehicle to be operated; and

WHEREAS, drivers need CDLs if they are in interstate, intrastate, or foreign commerce and drive a vehicle that meets the federal definition of a commercial motor vehicle; and

WHEREAS, States develop their own tests which must be at least as stringent as the federal standards; and

WHEREAS, this restriction does not prohibit States from allowing a person 19 years of age to qualify for a CDL, because it is limited to intrastate operation only. Such a restriction prohibits a person between the ages of 19 and 21 with a CDL from the interstate operation of a commercial motor vehicle; and

WHEREAS, the establishment of a controlled pilot program by the Federal Motor Carrier Safety Administration (FMCSA) lowering the federal minimum age for commercial motor vehicle drivers in interstate commerce from 21 to 19, which would include behind the wheel training, mentoring, and an evaluation component, would be the first step in advancing the program while still promoting highway safety; and

WHEREAS, a FMCSA controlled pilot program for 19 to 21 year-olds has the potential of relieving a severe commercial motor vehicle driver shortage in the States and Nation, and creating excellent career opportunities:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby urge the Federal Motor Carrier Safety Administration to establish a controlled pilot program to evaluate the potential of lowering the age requirements for interstate commercial motor carrier drivers from 21 to 19 years of age; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare a properly inscribed copy of this resolution for the Administrator of the Federal Motor Carrier Safety Administration, John H. Hill, and each member of the Missouri Congressional Delegation.

Mr. Speaker: Your Committee on Transportation, to which was referred **HB 1482** and **HB 1299**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 841**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 856**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 936**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Transportation, to which was referred **SB 955**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 979**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1438**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1516**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1851**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2110**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2202**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2266**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2590**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 801**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1039**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1073**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 748**, entitled:

An act to repeal section 143.121, RSMo, and to enact in lieu thereof one new section relating to the calculation of adjusted gross income for income tax purposes, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 768**, entitled:

An act to amend chapter 633, RSMo, by adding thereto two new sections relating to autism spectrum disorders as addressed by the department of mental health.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 846**, entitled:

An act to repeal sections 160.545, 173.256, and 173.258, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarships

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 1159**, entitled:

An act to repeal sections 191.225 and 595.045, RSMo, and to enact in lieu thereof three new sections relating to forensic examinations.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Spreng.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 2:00 p.m., Monday, April 14, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Fiftieth Day, Wednesday, April 9, 2008, Page 856, Line 42, by deleting the word “and” and inserting in lieu thereof the word “an”.

## **COMMITTEE MEETINGS**

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, April 15, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1708, HB 1795

### **ELECTIONS**

Tuesday, April 15, 2008, 8:15 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: HB 2592

### **ELEMENTARY AND SECONDARY EDUCATION**

Monday, April 14, 2008, 1:15 p.m. Hearing Room 5.

Executive session will be held on: SB 925

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

### **JUDICIARY**

Tuesday, April 15, 2008, Hearing Room 1 upon morning recess.

Judicial Transfer Work Group presentation.

No Public Testimony.

### **RULES - PURSUANT TO RULE 25(21)(f)**

Monday, April 14, 2008, Hearing Room 6 upon afternoon adjournment.

Executive session may follow. AMENDED

Public hearings to be held on: HCS HB 2016, HCS HB 2023, HCS HB 1933, SB 936, SB 928, SB 1187, SB 980, SB 979, SB 1177, SB 1061, SCS SB 1150, SCS SB 1168, HCS SB 1010, SB 1190, SCS SB 850, HCS SB 1002, SB 956, HCS SB 723, HCS SB 856, SS SCS SB 944, SB 839, HCS SCS SB 1131, HCS SB 733, SB 955, SCS SB 967, HCS SB 932, HCS SCS SB 1008, HCS SB 841, SB 896, SCS SB 1044, HCS SCS SBs 1153, 1154, 1155 & 1156, HCS SB 943, HCS SB 1135, HCS SB 820

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 15, 2008, Hearing Room 3 upon morning recess.

Presentation - Energy Supply for Missouri's Future.

Frank Clemente - Peabody Consultant.

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, April 14, 2008, 11:00 a.m. Hearing Room 6. AMENDED.

Public hearings to be held on: HB 1662, HB 1971, HB 2313, HB 2423, HB 2435

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, April 15, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 2514

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, April 15, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 2322, HB 2535

**WAYS AND MEANS**

Tuesday, April 15, 2008, 9:00 a.m. Hearing Room 3.

Executive session.

**HOUSE CALENDAR**

FIFTY-SECOND DAY, MONDAY, APRIL 14, 2008

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- 1 HCS HJR 49 - Cox
- 2 HCS HJR 71 - Fisher

**HOUSE BILLS FOR PERFECTION**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 2058 - Pearce
- 4 HCS HB 1626 - Emery
- 5 HCS HB 1836 - Flook
- 6 HCS#2 HB 1886 - Scharnhorst
- 7 HCS HBs 1788 & 1882 - Day
- 8 HCS HB 1802 - Wilson (130)
- 9 HCS HB 1644 - Muschany
- 10 HCS HB 1813 - Dougherty
- 11 HCS HB 1649 - Franz
- 12 HCS#2 HB 1423 - St. Onge
- 13 HCS HBs 2062 & 1518 - Pearce

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- 14 HCS HB 1474 - Cunningham (86)
- 15 HCS HB 2250 - Sutherland
- 16 HB 1957 - Hughes
- 17 HB 1756 - Walton
- 18 HCS HB 2060 - Deeken
- 19 HB 2144 - Whorton
- 20 HB 1535 - Deeken
- 21 HB 1517 - Cox
- 22 HCS HB 2112 - Emery
- 23 HB 1372 - McGhee
- 24 HCS HB 1590 - Munzlinger
- 25 HCS HB 1504 - Walton
- 26 HCS HBs 2040 & 2430, as amended - Jetton
- 27 HB 2191 - Nasheed
- 28 HCS HB 2156 - Grill
- 29 HCS HB 2159 - Grill
- 30 HCS HBs 1831 & 1472, (2 1/2 hours debate on Perfection) - Onder
- 31 HB 1562 - Levota
- 32 HCS HB 1383 - Cox
- 33 HCS HB 2239 - Stevenson

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 1550 - Stevenson
- 3 HCS HB 2328 - Wasson

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**SENATE BILLS FOR SECOND READING**

- 1 SB 748
- 2 SS SCS SB 768
- 3 SS SCS SB 846
- 4 SS SB 1159

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher

- 7 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 8 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)
- 9 HCR 25, (4-02-08, Pages 748-749) - Pratt
- 10 HCR 5, (4-02-08, Pages 750-751) - Smith (14)

**SENATE BILL FOR THIRD READING - CONSENT**

(4/14/08)

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

**SENATE BILLS FOR THIRD READING**

- 1 SB 1066 - Muschany
- 2 HCS SCS SB 942 (Fiscal Review 4-10-08) - Quinn (7)



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-SECOND DAY, MONDAY, APRIL 14, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, You are gracious and merciful, compassionate and self-sufficient. You are able to handle any situation that threatens our well being. You care for us.

We are instructed in Your Word that if we lack wisdom, to ask of You and You would give it generously and graciously. So we ask. May, throughout this week, wisdom be as a close relative and common sense our closest companion. Help us to hear good instruction and, in wisdom, not refuse or neglect it.

Secure our paths, as we walk in integrity before all and may our ways not be misrepresented.

Now, Lord God, may You Lord show us kindness as we show kindness to others. May You grant that each of us find rest in our decisions and trust that our decisions will help provide rest to those we serve. May Your grace abide with us all.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the fifty-first day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1749 through House Resolution No. 1806

## SECOND READING OF SENATE BILLS

**SB 748, SS SCS SB 768, SS SCS SB 846 and SS SB 1159** were read the second time.

## SUPPLEMENTAL CALENDAR

APRIL 14, 2008

## HOUSE BILL FOR PERFECTION

HCS HB 2393 - Richard

## PERFECTION OF HOUSE BILL

**HCS HB 2058**, relating to business development tax incentives, was taken up by Representative Pearce.

Representative Flook offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2058, Page 1, In the Title, Line 2, by inserting after the number "135.967," the following:

"137.115, 137.1018,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Lines 1 and 3, by inserting after the number "135.967," on each of said lines the following:

"137.115, 137.1018,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 10, Section 135.967, Line 111, by inserting after said line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessor interests in real property at the percent of its true value in money set in subsection 5 of this section. **The true value in money of any possessor interest in real property in subclass (3), where such real property is on or adjacent to a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessor interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property and which are included in the above-mentioned possessor interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year.** The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter

may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this [paragraph] **subdivision**, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100, RSMo.

4. (1) As used in this subsection, the following terms mean:

(a) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) The state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this section."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Pearce offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2058, Page 1, In the Title, Line 2, by inserting after the number "135.967," the following:

"137.115, 137.1018,"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 1, Section A, Lines 1 and 3, by inserting after the number "135.967," on each of said lines the following:

"137.115, 137.1018,"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "twelve" and inserting in lieu thereof the word "fourteen"; and

Further amend said bill, Page 10, Section 135.967, Line 111, by inserting after said line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessor interests in real property at the percent of its true value in money set in subsection 5 of this section. **The true value in money of any possessor interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5 of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessor interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property and which are included in the above-mentioned possessor interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year.** The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

- (1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and
- (2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this [paragraph] **subdivision**, the word "comparable" means that:
  - (a) Such sale was closed at a date relevant to the property valuation; and
  - (b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

- (1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;
- (2) Livestock, twelve percent;
- (3) Farm machinery, twelve percent;
- (4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for

noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or

surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling.

137.1018. 1. The commission shall ascertain the statewide average rate of property taxes levied the preceding year, based upon the total assessed valuation of the railroad and street railway companies and the total property taxes levied upon the railroad and street railway companies. It shall determine total property taxes levied from reports prescribed by the commission from the railroad and street railway companies. Total taxes levied shall not include revenues from the surtax on subclass three real property.

2. The commission shall report its determination of average property tax rate for the preceding year, together with the taxable distributable assessed valuation of each freight line company for the current year to the director no later than October first of each year.

3. Taxes on property of such freight line companies shall be collected at the state level by the director on behalf of the counties and other local public taxing entities and shall be distributed in accordance with sections 137.1021 and 137.1024. The director shall tax such property based upon the distributable assessed valuation attributable to Missouri of each freight line company, using the average tax rate for the preceding year of the railroad and street railway companies certified by the commission. Such tax shall be due and payable on or before December thirty-first of the year levied and, if it becomes delinquent, shall be subject to a penalty equal to that specified in section 140.100, RSMo.

4. (1) As used in this subsection, the following terms mean:

(a) "Eligible expenses", expenses incurred in this state to manufacture, maintain, or improve a freight line company's qualified rolling stock;

(b) "Qualified rolling stock", any freight, stock, refrigerator, or other railcars subject to the tax levied under this section.

(2) For all taxable years beginning on or after January 1, 2009, a freight line company shall be allowed a credit against the tax levied under this section for the applicable tax year. The tax credit amount shall be equal to the amount of eligible expenses incurred during the calendar year immediately preceding the tax year for which the credit under this section is claimed. The amount of the tax credit issued shall not exceed the freight line company's liability for the tax levied under this section for the tax year for which the credit is claimed.

(3) A freight line company may apply for the credit by submitting to the commission an application in the form prescribed by the state tax commission.

(4) The state shall reimburse, on an annual basis, any political subdivision of this state for any decrease in revenue due to the provisions of this section."; and



Further amend said bill, Section 348.273, Page 11, Line 1, by inserting after all of said line the following:

**"(1) "Department", the Missouri department of economic development;"** and renumber subsequent subsections accordingly; and

Further amend said page, Line 12, by deleting the words **"Missouri technology"** and inserting in lieu thereof the following:

**"department";** and

Further amend said page, Line 13, by deleting all of said line; and

Further amend said page, Line 28, by deleting the words **"Missouri technology corporation"** and inserting in lieu thereof the word:

**"department";** and

Further amend said bill, Section 348.274, Page 12, Line 1, by deleting the words **"Missouri technology corporation"** and inserting in lieu thereof the word:

**"department";** and

Further amend said page, Line 3, by deleting the words **"Missouri technology"** and inserting in lieu thereof the word **"department";** and

Further amend said page, Line 4, by deleting the word **"corporation";** and

Further amend said page, Line 14, by deleting the word **"Missouri"** and inserting in lieu thereof the word **"department";** and

Further amend said page, Line 15, by deleting the words **"technology corporation";** and

Further amend said page, Line 17, by deleting the words **"Missouri technology corporation"** and inserting in lieu thereof the words **"the department";** and

Further amend said page, Line 18, by deleting the word **"Missouri"** and inserting in lieu thereof the word **"department";** and

Further amend said page, Line 19, by deleting the words **"technology corporation";** and

Further amend said section, Page 13, Line 33, by deleting the words **"Missouri technology corporation"** and inserting in lieu thereof the word **"department";** and

Further amend said section, Page 14, Line 63, by deleting the word **"Missouri"** and inserting in lieu thereof the word **"department";** and

Further amend said page, Line 64, by deleting the words **"technology corporation";** and

Further amend said page, Line 65, by deleting the word **"executive";** and

Further amend said line, by deleting the words **"Missouri technology"** and inserting in lieu thereof the word **"department";** and

Further amend said page, Line 66, by deleting the word **"corporation";** and

Further amend said page, Line 74, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 75, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 79, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 80, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 82, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said section, Page 15, Line 95, by deleting the word "**Missouri**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 96, by deleting the words "**technology corporation**"; and

Further amend said page, Line 97, by deleting all of said line and inserting in lieu thereof the words "**for an annual report, or, if required by the department,**"; and

Further amend said page, Line 98, by deleting the word "**corporation,**"; and

Further amend said page, Line 99, by deleting the word "**Missouri**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 100, by deleting the words "**technology corporation**"; and

Further amend said page, Line 103, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 117, by deleting the word "**Missouri**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 118, by deleting the words "**technology corporation**"; and

Further amend said page, Line 124, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 125, by deleting the words "**Missouri technology corporation**" and inserting in lieu thereof the word "**department**"; and

Further amend said page, Line 126, by deleting all of said line and inserting in lieu thereof the following:

**"the department shall also provide in its"; and**

Further amend said bill, Section 620.1881, Page 37, Line 204, by inserting immediately before the first occurrence of the word "The" on said line an open bracket "["; and

Further amend said page, Line 205, by deleting all of said line and inserting in lieu thereof the following:

**"exceed forty million dollars.] Notwithstanding any provision of law to the contrary, the"; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Brown (30) offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 2058, Section 137.115, Page 2, Line 4 of said amendment, by inserting immediately after the word "**property**" the following:

**"completed after January 1, 2008,"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muschany assumed the Chair.

On motion of Representative Brown (30), **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Iceet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Lembke
Lipke	Loehner	Marsh	May	McGhee
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 057

Aull	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	George
Grill	Harris 110	Haywood	Hodges	Holsman

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Hoskins	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker 25	Bland	Frame	Harris 23	Hobbs
Hubbard	Hunter	Kraus	McClanahan	Meadows
Moore	Roorda	Rucker	Spreng	Viebrock
Wright-Jones	Yates	Young	Zweifel	

VACANCIES: 002

On motion of Representative Pearce, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted by the following vote:

AYES: 122

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grisamore	Guest
Haywood	Hughes	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Zimmerman	Mr Speaker			

NOES: 018

Bringer	Daus	Grill	Harris 110	Hodges
Holsman	Hoskins	Kuessner	Lampe	Low 39

Lowe 44	Oxford	Quinn 9	Robinson	Swinger
Todd	Vogt	Witte		

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 25	Bland	El-Amin	Frame	Harris 23
Hobbs	Hubbard	Hunter	Kraus	McClanahan
Meadows	Moore	Roorda	Rucker	Sater
Spreng	Viebrock	Wright-Jones	Yates	Young
Zweifel				

VACANCIES: 002

On motion of Representative Pearce, **HCS HB 2058, as amended**, was adopted.

On motion of Representative Pearce, **HCS HB 2058, as amended**, was ordered perfected and printed.

### **PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 49**, relating to the appellate judicial commission, was taken up by Representative Cox.

Representative Baker (123) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 49, Page 2, Section 25(d), Line 10, by deleting the word "**seven**" and inserting in lieu thereof the word "**eight**"; and

Further amend said bill, Page 2, Section 25(d), Line 15, by inserting after the word "**state**" the following:

**"and one member of the supreme court"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nieves assumed the Chair.

Representative Baker (123) moved that **House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Cox offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for House Joint Resolution No. 49, Page 1, Section 25(a), Line 3, by inserting after "County":

"and any other judicial circuit outside of the city of St. Louis and Jackson County which has, in accordance with the provisions of Section 25(b) of this Article, elected to have their circuit and associate circuit judges appointed by the governor in the manner provided in Section 25(a) of this Article"; and

Further amend said resolution, Page 2, Section 25(d), Line 14, by deleting after "additional citizen,":

"not a member of the bar,"; and

Further amend said resolution, Page 2, Section 25(d), Line 24, by deleting "not members of the bar," and inserting on Line 25, after "said judicial circuit,":

", two of whom shall not be members of the bar,".

On motion of Representative Cox, **House Amendment No. 2** was adopted.

Speaker Pro Tem Pratt resumed the Chair.

Representative LeVota offered **House Amendment No. 3**.

Representative Stevenson raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Zimmerman offered **House Amendment No. 4**.

Representative Stevenson raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Kingery assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach

Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Mr Speaker				

NOES: 055

Aull	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Darrough	Daus	Dougherty
El-Amin	Fallert	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Bland	Curls	Donnelly	Frame
Hughes	Kraus	Marsh	Meadows	Robinson
Roorda	Rucker	Schneider	Spreng	Sutherland
Whorton	Wright-Jones	Yates	Young	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Cox, **HCS HJR 49, as amended**, was adopted.

On motion of Representative Cox, **HCS HJR 49, as amended**, was ordered perfected and printed by the following vote:

AYES: 080

Avery	Baker 123	Bivins	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Franz	Funderburk
Haywood	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nieves	Onder	Parkinson
Parson	Pollock	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Smith 14	Smith 150	Stevenson
Stream	Thomson	Threlkeld	Tilley	Viebrock

Wallace	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 063

Aull	Brandom	Bringer	Brown 50	Burnett
Casey	Corcoran	Darrough	Daus	Donnelly
El-Amin	Fallert	Flook	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hodges
Holsman	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lipke	Low 39	Lowe 44	McClanahan	Meiners
Nance	Nasheed	Nolte	Norr	Oxford
Page	Pearce	Pratt	Quinn 9	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Silvey
Skaggs	St. Onge	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Wildberger
Witte	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 25	Bland	Chappelle-Nadal	Curls	Frame
Kraus	Marsh	Meadows	Robinson	Roorda
Rucker	Spreng	Sutherland	Whorton	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 2508** - Special Committee on Family Services

## COMMITTEE REPORTS

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 1745**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was returned **HCS HB 1723**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1794**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **HB 1954**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SCS SB 806**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **HB 1700**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 1582** and **HB 1963**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Utilities, to which was referred **HB 2279**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SB 958**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1933**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2016**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2023**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 723**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 733**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 820**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 839**, begs leave to report it has examined the same and recommends that it **Do Pass - NOT CONSENT**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 841**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 856**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 896**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 928**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 932**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 936**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 943**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 944**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 955**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 956**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 967**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 979**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 980**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1002**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1008**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1010**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1044**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1061**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1131**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1135**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1150**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 1153, 1154, 1155 & 1156**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1168**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1177**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1187**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1190**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

#### **MESSAGE FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 40**.

## SENATE CONCURRENT RESOLUTION NO. 40

WHEREAS, the U.S. Consumer Product Safety Commission (CPSC) is charged with protecting the public from unreasonable risks of serious injury or death from more than 15,000 types of consumer products under the agency's jurisdiction. The CPSC has rated furniture tip-overs as number 3 of the top 5 hidden home hazards; and

WHEREAS, according to the CPSC, each year an estimated 3,000 children ages 5 and younger nationwide go to the emergency room with injuries caused by television sets falling or tipping over, and at least 100 people - mostly young children - have been killed since 2000 by falling televisions or other furniture; and

WHEREAS, in September of 2006, the CPSC warned parents and caregivers about the dangers of television sets and heavy furniture tipping over and killing young children. From 2000 to 2005, CPSC had reports of 36 television tip-over deaths and 65 furniture tip-over deaths. More than 80% of all these deaths involved young children; and

WHEREAS, the number of deaths due to furniture tip-overs is on the rise. In 2006, the CPSC reported 31 deaths from improperly secured furniture and televisions, with tip-overs resulting in an average of 22 deaths per year; and

WHEREAS, very heavy furniture items can potentially cause crush injuries, but more commonly when a large dresser, shelf, or home entertainment center tips, the resulting injury is often suffocation. Children become pinned between the tipping furniture and the bed or floor, unable to breathe or call for help, making it a nearly silent event; and

WHEREAS, the danger of tipping comes when a child tries to climb the front of a furniture piece. In these accidents, the child attempts to reach the top of the furniture piece by using a bottom drawer or shelf like a step. The weight of the furniture and the child pulling down in the front causes the whole piece to tilt forward. Heavy items on top of the furniture can fall on the child or the furniture piece itself can fall forward onto the child; and

WHEREAS, the committee of the American Society for Testing and Materials (ASTM) met in March 2007 to discuss and revise a proposed standard for testing tipping on dressers, armoires, and drawer chests. However, the ASTM can only establish voluntary standards and the proposed revised standard does not include other types of furniture such as entertainment centers, television stands, or any piece of furniture 30 inches in height or less; and

WHEREAS, while the ASTM, furniture executives, and consumer safety advocates are working together to form voluntary safety standards to address this issue, the increase in tipping furniture deaths and injuries to children demands mandatory regulation regarding labeling, furniture standards, and the use of anchoring devices:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress and the Consumer Product Safety Commission to immediately enact regulations that:

- (1) Strengthen incentives for use of the ASTM International's voluntary furniture safety standard for furniture tip-over hazards;
- (2) Strengthen incentives for use of warning labels on tip-over risks to be posted on all assembled and ready-to-assemble furniture and major appliances;
- (3) Strengthen incentives for all furniture and major appliances with a tip-over risk to come with anchoring devices that can be used to safely secure them to walls; and
- (4) Promote the dissemination of educational material and information to the public regarding furniture tip-over dangers and ease of prevention through the use of safety devices; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Nancy A. Nord, the Acting Chairman of the Consumer Product Safety Commission and each member of Missouri's Congressional delegation.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Bland.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, April 15, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-first Day, Thursday, April 10, 2008, Page 881, Line 20, by deleting all of said line.

## **COMMITTEE MEETINGS**

### **BUDGET**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 3.  
Executive session may follow.  
Tax Credit Review.

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 4.  
Executive session only.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, April 15, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1708, HB 1795

### **ELECTIONS**

Tuesday, April 15, 2008, 8:15 a.m. Hearing Room 5.  
Executive session may follow.  
Public hearing to be held on: HB 2592

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, April 16, 2008, Hearing Room 5 upon afternoon adjournment.  
Executive session may follow.  
Public hearings to be held on: HB 1683, HB 2281, HB 2489, HB 2537, HB 2547

### **HEALTH CARE POLICY**

Tuesday, April 15, 2008, 12:00 p.m. Hearing Room 7.  
Executive session may follow.  
Public hearings to be held on: HB 2265, HB 2351

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.  
Second quarter meeting.

#### JUDICIARY

Tuesday, April 15, 2008, Hearing Room 1 upon morning recess.

Judicial Transfer Work Group presentation.

No public testimony.

#### LOCAL GOVERNMENT

Wednesday, April 16, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2347, HB 2550, HB 2367,

HB 2396, HB 2474, HB 2026

#### RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, April 15, 2008, Hearing Room 3 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCS HB 1700, HB 1764, HCS HB 2279, HCS SB 797,

SB 1016, SB 1068, HCS SB 978, HCS SCS SB 1033, SCS SB 1235, HCS SB 1074,

HCS SB 958, SCS SB 806

#### SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, April 15, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SS SCS SB 931

#### SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, April 15, 2008, Hearing Room 3 upon morning recess.

Presentation - Energy Supply for Missouri's Future.

Frank Clemente - Peabody Consultant. AMENDED.

Public hearings to be held on: HB 2442, SB 1116

#### SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, April 16, 2008, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 2508

#### SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 15, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2420, HB 2494, HB 2529, SCS SB 939

#### SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

#### SPECIAL COMMITTEE ON HOMELAND SECURITY

Wednesday, April 16, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2235, HB 2455

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1699, HB 2215

**SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT**

Tuesday, April 15, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: HB 2514

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 16, 2008, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SB 863

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, April 15, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 1105

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, April 16, 2008, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HCR 34, HCR 35, HB 1673

**SPECIAL COMMITTEE ON URBAN ISSUES**

Tuesday, April 15, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 2322, HB 2535

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, April 16, 2008, 12:00 p.m. Hearing Room 5.

Executive session may follow. AMENDED.

Public hearings to be held on: HB 1606, SCS SBs 1034 & 802

**TRANSPORTATION**

Tuesday, April 15, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2093, HB 1999, HB 1905,  
HB 1665, SS SCS SBs 761 & 774, SCS SBs 930 & 947

**WAYS AND MEANS**

Tuesday, April 15, 2008, 9:00 a.m. Hearing Room 3.

Executive session.

## HOUSE CALENDAR

FIFTY-THIRD DAY, TUESDAY, APRIL 15, 2008

### HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 71 - Fisher

### HOUSE BILLS FOR PERFECTION

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HB 1626 - Emery
- 4 HCS HB 1836 - Flook
- 5 HCS#2 HB 1886 - Scharnhorst
- 6 HCS HBs 1788 & 1882 - Day
- 7 HCS HB 1802 - Wilson (130)
- 8 HCS HB 1644 - Muschany
- 9 HCS HB 1813 - Dougherty
- 10 HCS HB 1649 - Franz
- 11 HCS#2 HB 1423 - St. Onge
- 12 HCS HBs 2062 & 1518 - Pearce
- 13 HCS HB 1474 - Cunningham (86)
- 14 HCS HB 2250 - Sutherland
- 15 HB 1957 - Hughes
- 16 HB 1756 - Walton
- 17 HCS HB 2060 - Deeken
- 18 HB 2144 - Whorton
- 19 HB 1535 - Deeken
- 20 HB 1517 - Cox
- 21 HCS HB 2112 - Emery
- 22 HB 1372 - McGhee
- 23 HCS HB 1590 - Munzlinger
- 24 HCS HB 1504 - Walton
- 25 HCS HBs 2040 & 2430, as amended - Jetton
- 26 HB 2191 - Nasheed
- 27 HCS HB 2156 - Grill
- 28 HCS HB 2159 - Grill
- 29 HCS HBs 1831 & 1472, (2 1/2 hours debate on Perfection) - Onder
- 30 HB 1562 - LeVota
- 31 HCS HB 1383 - Cox
- 32 HCS HB 2239 - Stevenson
- 33 HCS HB 2393 - Richard



**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 1550 - Stevenson
- 3 HCS HB 2328 - Wasson

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 8 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)
- 9 HCR 25, (4-02-08, Pages 748-749) - Pratt
- 10 HCR 5, (4-02-08, Pages 750-751) - Smith (14)

**SENATE BILL FOR THIRD READING - CONSENT**

(4/14/08)

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

**SENATE BILLS FOR THIRD READING**

- 1 SB 1066 - Muschany
- 2 HCS SCS SB 942, (Fiscal Review 4-10-08) - Quinn (7)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-THIRD DAY, TUESDAY, APRIL 15, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend Gene H. Williams, The Scruggs Memorial, Christian Methodist Episcopal Church, St. Louis, Missouri.

Almighty and everlasting God, who has made of one blood all nations of men to dwell together on all the face of the Earth. Even in our differences as we call on You by various names, help us to recognize You Lord as the One True and Living God. Use our differences as advantages to better living.

As this body of elected officials from all over the State of Missouri have gathered in this place, shower them with Your Spirit so that the business of leading the government may be accomplished according to Thy perfect will.

Protect our whole country, guard our homes and sanctify our lives. So guide our hearts, we pray Thee, so we may use and not misuse the liberty You have given us.

Lord of the nations, continue to tear down the walls of partition between races, classes and faiths so that east and west, north and south, may labor together to bring the kingdom of righteousness and peace on the Earth.

We ask this all in the name of our Supreme God. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Anna Duban, Jasmin Hudson, Justin Witte, Nolan Walsh, Sydnei Edward, Devin Johnson, Sam Lincoln, Lucas Houchin, Jaden Barnes, Lauren Eby, Caroline Gleason, Miranda Harrison, Shelby Heckert, Amelia Moore, Caroline Elizabeth Kasten and Drew Anna Kasten.

The Journal of the fifty-second day was approved as printed by the following vote:

AYES: 136

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Ice	Jones 89	Jones 117

Kasten	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 010

Curls	Daus	Donnelly	George	Johnson
Low 39	Lowe 44	Talboy	Vogt	Whorton

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 014

Brown 30	Corcoran	Harris 23	Hubbard	Hunter
Kelly	Kraus	McClanahan	Meadows	Rucker
Schieffer	Spreng	Wright-Jones	Yates	

VACANCIES: 002

### THIRD READING OF HOUSE BILL

**HCS HB 1550**, relating to juvenile court jurisdiction, was taken up by Representative Stevenson.

On motion of Representative Stevenson, **HCS HB 1550** was read the third time and passed by the following vote:

AYES: 102

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Cooper 120
Cox	Cunningham 86	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Harris 110	Hobbs	Hoskins
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Lampe	Lembke
Loehner	Marsh	May	McGhee	Meiners

Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

NOES: 049

Baker 25	Bland	Burnett	Casey	Chappelle-Nadal
Cunningham 145	Curls	Daus	Donnelly	El-Amin
Frame	George	Grill	Haywood	Hodges
Holsman	Hubbard	Hughes	Johnson	Kuessner
LeVota	Liese	Lipke	Low 39	Lowe 44
McClanahan	Nasheed	Norr	Oxford	Quinn 9
Rucker	Scavuzzo	Schneider	Schoemehl	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper 155	Corcoran	Harris 23	Hunter	Kraus
Meadows	Page	Robinson	Spreng	Yates

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### PERFECTION OF HOUSE JOINT RESOLUTION

**HCS HJR 71**, relating to a sales tax for veterans' services, was taken up by Representative Fisher.

Representative Kasten assumed the Chair.

Representative Dixon offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Joint Resolution No. 71, Page 1, Section 48(a), Line 4, by inserting immediately after the first ", " on said line the following "**both being veterans**"; and

Further amend said section, Line 5, by inserting immediately at the end of said line the following "**both being veterans**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**House Amendment No. 1** was withdrawn.

Representative Dixon offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Joint Resolution No. 71, Page 1, Section 48(a), Line 8, by inserting immediately after said line the following:

**"Members of the commission shall be reimbursed for actual and necessary expenses incurred during the performance of their duties, along with a one-hundred dollar per diem for each day the commission meets at the call of the chairman.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Low (39) offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Joint Resolution No. 71, Page 1, Line 4, by deleting the words "one-hundred" and inserting after the word "diem" the following:

"that is equal to the Missouri Legislatures per diem."

Representative Low (39) moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 068

Aull	Avery	Baker 25	Bivins	Bland
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Curls	Darrough	Daus	Davis	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Fallert
Fares	Frame	George	Grill	Guest
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Jones 89	Kasten	Kingery	Komo
Kratky	Kuessner	Lembke	Liese	Low 39
Lowe 44	Marsh	McClanahan	Meiners	Muschany
Nance	Nasheed	Norr	Oxford	Page
Portwood	Roorda	Ruestman	Scavuzzo	Schieffer
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Talboy	Villa	Vogt	Walsh	Wright 159
Wright-Jones	Yaeger	Zimmerman		

NOES: 082

Baker 123	Brandom	Bringer	Bruns	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Emery	Ervin
Faith	Fisher	Flook	Franz	Funderburk

Grisamore	Harris 110	Hobbs	Hunter	Icet
Jones 117	Kelly	Lampe	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Self	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Zweifel	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 011

Dethrow	Harris 23	Haywood	Kraus	LeVota
Meadows	Robinson	Schneider	Spreng	Yates
Young				

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

Representative Dixon moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Speaker Jetton assumed the Chair.

Representative Scharnhorst assumed the Chair.

Representative Jones (89) assumed the Chair.

On motion of Representative Fisher, **HCS HJR 71** was adopted.

On motion of Representative Fisher, **HCS HJR 71** was ordered perfected and printed.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Theodore Muschany and Hayes Muschany.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 1807 through House Resolution No. 1910

## PERFECTION OF HOUSE BILLS

**HCS HB 2393**, relating to enhanced enterprise zones, was taken up by Representative Richard.

Representative Jones (89) resumed the Chair.

Representative Richard offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.950, Page 1, Line 1, by inserting after all of said line the following:

**"(1) "Average wage", the new payroll divided by the number of new jobs;"**; and

Further amend said page, Line 2, by placing opening and closing brackets around the number one on said line, thus "[1]" and inserting immediately after the closing bracket the number two **"(2)"**; and

Further amend said page, Line 8, by inserting opening and closing brackets around the number 2 on said line, thus "[2]" and inserting immediately after the closing bracket the number three, thus: **"(3)"**; and

Further amend said page, Line 9, by inserting opening and closing brackets around the number 3 on said line, thus "[3]" and inserting immediately after the closing bracket the number four, thus: **"(4)"**; and

Further amend said page, Line 11, by inserting after all of said line the following:

**"[(4)] (5) "County average wage", the average wages in each county as determined by the department for the most recently completed full calendar year. However, if the computed county average wage is above the statewide average wage, the statewide average wage shall be deemed the county average wage for such county for the purpose of determining eligibility. The department shall publish the county average wage for each county at least annually. Notwithstanding the provisions of this subdivision to the contrary, for any taxpayer that in conjunction with their project is relocating employees from a Missouri county with a higher county average wage, such taxpayer shall obtain the endorsement of the governing body of the community from which jobs are being relocated or the county average wage for their project shall be the county average wage for the county from which the employees are being relocated;"**; and

Further amend said section, by renumbering all subsequent subsections as required; and

Further amend said section, Page 3, Line 64, by deleting the word **"fifty"** and inserting in lieu thereof the word **"eighty"**; and

Further amend said section, Page 4, Line 92, by deleting from said line the number **"(23)"** and inserting in lieu thereof the number **"(25)"**; and

Further amend said section, Page 5, Line 143, by deleting the number **"(15)"** from said line and inserting in lieu thereof the number **"(17)"**; and

Further amend said section, Page 6, Line 158, by deleting the number **"(17)"** from said line and inserting in lieu thereof the number **"(19)"**; and

Further amend said bill, Section 135.967, Page 6, Line 10, by deleting the section number "**620.1980**" and inserting in lieu thereof the section number "**620.1890**"; and

Further amend said section, Page 7, Line 45, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(19)**"; and

Further amend said page, Line 56, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(17)**"; and

Further amend said page, Line 57, by deleting the number "**(23)**" and inserting in lieu thereof the number "**(25)**"; and

Further amend said section, Page 8, Line 76, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(17)**"; and

Further amend said line, by deleting the number "**(23)**" and inserting in lieu thereof the number "**(25)**"; and

Further amend said page, Line 78, by deleting the number "**(15)**" and inserting in lieu thereof the number "**(19)**"; and

Further amend said bill, Section 135.968, Page 9, Line 7, by inserting after the word "**any**" the following:

**"mega-project after December 31, 2008. The department shall not issue any"; and**

Further amend said page, Line 13, by inserting after the word "mega-project" the following:

**". This determination shall be supported by a professional third party market feasibility analysis conducted on behalf of the state by a firm with direct experience with the industry of the proposed mega-project, and by a professional third party financial analysis of the taxpayer's ability to complete the project"; and**

Further amend said page, Line 14, by deleting all commas on said line; and

Further amend said page, Lines 18 to 19, by deleting all of said lines; and

Further amend said section, by renumbering all subsequent subdivisions of subsection 2 accordingly; and

Further amend said section, Page 10, Line 25, by deleting the word "**applicant**" from said line and inserting in lieu thereof the word "**taxpayer**"; and

Further amend said page, Lines 36 to 52, by deleting all of said lines and inserting in lieu thereof the following:

**"3. Prior to final approval of an application, a binding contract shall be executed between the taxpayer and the department of economic development which shall include, but not be limited to:**

**(1) A repayment plan providing for cash payment to the state general revenue fund which shall result in a positive internal rate of return to the state and fully comply with the provisions of the World Trade Organization agreement on subsidies and countervailing measures;**

**(2) The taxpayer's obligation to construct a facility of at least one million three hundred thousand square feet within five years from the date of approval; and**

**(3) A projected specific minimum positive internal rate of return over the length of the project, as calculated by the repayment amount, as validated by the market feasibility analysis, less credits issued, and an increased specific minimum rate of return calculated by the repayment amount plus fiscal benefit less the credits issued."; and**

Further amend said section, Page 11, Line 68, by inserting after all of said line the following:



**"The department shall issue a schedule setting forth maximum year-by-year credits approved by the department. In any given year, the amount of tax credits issued shall be the lesser of the amount identified in the schedule, which shall not exceed forty million dollars, or the applicable annual payroll percentage.";** and

Further amend said section, Page 12, Line 98, by deleting the second occurrence of the word "**the**" from said line; and

Further amend said page, Line 105, by deleting the words "**the taking of**" from said line; and

Further amend said line, by inserting after the word "**action**" the word "**undertaken**"; and

Further amend said page, Line 107, by inserting after all of said line the following:

**"10. Records and documents relating to a proposed mega-project shall be deemed closed records until such time as the application has been approved. Provisions of this subsection to the contrary notwithstanding, records containing business plan information which may endanger the competitiveness of the business shall remain closed.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

Representative Cooper (120) assumed the Chair.

On motion of Representative Richard, **House Amendment No. 1** was adopted.

Representative Flook offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.968, Page 12, Line 107, by inserting after all of said line the following:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessor interests in real property at the percent of its true value in money set in subsection 5 of this section. **The true value in money of any possessor interest in real property in subclass (3), where such real property is on or lies within the ultimate airport boundary as shown by a federal airport layout plan, as defined by 14 CFR 151.5 of a commercial airport having a FAR Part 139 certification and owned by a political subdivision, shall be the otherwise applicable true value in money of any such possessor interest in real property, less the total dollar amount of costs paid by a party, other than the political subdivision, towards any new construction or improvements on such real property and which are included in the above-mentioned possessor interest, regardless of the year in which such costs were incurred or whether such costs were considered in any prior year.** The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan

to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this [paragraph] **subdivision**, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; and

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent.

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request

is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general**

**assembly, second regular session**, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Cooper (120) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Brown (30) offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1  
to  
House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 2393, Section 137.115, Page 1, Line 17 of said amendment, by inserting immediately after the word "**property**" the following:

**"completed after January 1, 2008,"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Brown (30), **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Flook, **House Amendment No. 2, as amended**, was adopted.

Representative Talboy offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.968, Page 12, Line 107, by inserting after all of said line the following:

**"10. Notwithstanding any provision of this section to the contrary, no taxpayer who receives mega-project tax credits authorized under this section or any related taxpayer shall employ, within five years following approval of the mega-project by the department, directly or indirectly:**

**(1) Any elected public official of this state holding office as of January 1, 2008;**

**(2) Any director, deputy director, division director, or employee directly involved in negotiations between the department of economic development and a taxpayer relative to the mega-project who was employed as of January 1, 2008, by the department; or**

(3) Any relative, within the second degree of consanguinity or affinity, of any individual under subdivisions (1) and (2) of this subsection.

11. After the expiration of the five-year period referenced in subsection 10 of this section, any taxpayer receiving mega-project tax credits authorized under this section shall disclose, in the annual report required under subsection 7 of this section, the names of any employee of the taxpayer who:

(1) Has ever been an elected public official of this state;

(2) Has ever been a director, deputy director, or a division director of the department of economic development, or an employee of the department of economic development directly involved in the negotiations between the department of economic development and the taxpayer relative to the mega-project; or

(3) Is a relative, within the second degree of consanguinity or affinity, of any individual under subdivisions (1) and (2) of this subsection."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Talboy, **House Amendment No. 3** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Kasten	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Young	Zimmerman	Mr Speaker		

NOES: 003

Dougherty	Emery	May
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PRESENT: 001

Curls

ABSENT WITH LEAVE: 014

Donnelly	El-Amin	Harris 23	Haywood	Hunter
Kraus	Meadows	Robinson	Salva	Sater
Self	Spreng	Yates	Zweifel	

VACANCIES: 002

### Representative Page offered **House Amendment No. 4.**

#### *House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2393, Section 135.968, Page 12, Line 107, by inserting after all of said line the following:

**"10. In the event that the taxpayer relocates or moves the mega-project out of the state, the taxpayer shall immediately remit to the state an amount equal to all benefits received under this section.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page moved that **House Amendment No. 4** be adopted.

Which motion was defeated by following vote:

AYES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

NOES: 084

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Hobbs	Hoskins	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock

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Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Chappelle-Nadal	Donnelly	Guest	Harris 23
Haywood	Kraus	Meadows	Robinson	Roorda
Salva	Sater	Schneider	Self	Spreng
Stevenson	Yates	Zweifel		

VACANCIES: 002

Representative Hobbs assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Richard, **HCS HB 2393, as amended**, was adopted by the following vote:

AYES: 140

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Schoemehl
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Young	Zimmerman	Mr Speaker

NOES: 008

Bringer	Daus	Harris 110	McClanahan	Oxford
Schieffer	Shively	Witte		

PRESENT: 000

ABSENT WITH LEAVE: 013

Baker 25	Donnelly	Harris 23	Haywood	Kraus
Lembke	Page	Robinson	Sater	Self
Spreng	Yates	Zweifel		

VACANCIES: 002

On motion of Representative Richard, **HCS HB 2393, as amended**, was ordered perfected and printed.

**HCS HBs 1831 & 1472**, relating to abortions, was taken up by Representative Onder.

Representative Portwood offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 1, by inserting after the section number “**565.315.**” the following:

**“1. Any person who knowingly performs or induces or assists in performing or inducing an abortion on a woman, with knowledge that the predominant reason the woman is seeking or obtaining the abortion is that the woman is a victim of coerced abortion, is guilty of a class C felony.**

**2.”; and**

Further amend said section, Line 15, by inserting after all of said line the following:

**“3. Under the provisions of chapter 188, RSMo, or any other provision of law requiring that a woman give her consent freely and without coercion prior to an abortion, whenever a physician knows that the predominant reason the woman is seeking or obtaining an abortion is that the woman is a victim of coerced abortion, the physician shall certify that the woman lacks the consent required by law.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schaaf offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 1, by inserting after the section number “**565.315.**” the following:

**“1. Any person who knowingly performs or induces or assists in performing or inducing an abortion on a woman, with knowledge that the predominant reason the woman is seeking or obtaining the abortion is that the woman is a victim of coerced abortion, is guilty of a class C felony.**



2.”; and

Further amend said section, Line 15, by inserting after all of said line the following:

**“3. Under the provisions of chapter 188, RSMo, or any other provision of law requiring that a woman give her consent freely and without coercion prior to an abortion, whenever a physician knows that the predominant reason the woman is seeking or obtaining an abortion is that the woman is a victim of coerced abortion, the physician shall certify that the woman lacks the consent required by law.**

**4. The provisions of subsections 1 and 3 of this section shall not apply to any medical emergency as that term is defined in section 188.039, RSMo.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Schaaf moved that **House Substitute Amendment No. 1 for House Amendment No. 1** be adopted.

Which motion was defeated.

Representative Hobbs resumed the Chair.

On motion of Representative Portwood, **House Amendment No. 1** was adopted by the following vote:

AYES: 109

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fallert
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Kuessner	Lembke
Liese	Lipke	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Mr Speaker	

NOES: 038

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	Dougherty	Frame
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Lampe	LeVota
Low 39	Lowe 44	McClanahan	Nasheed	Norr

Oxford	Skaggs	Storch	Talboy	Todd
Vogt	Walton	Whorton	Wildberger	Wright-Jones
Young	Zimmerman	Zweifel		

PRESENT: 001

Fares

ABSENT WITH LEAVE: 013

Avery	Baker 25	El-Amin	Harris 23	Kraus
Marsh	Page	Robb	Robinson	Roorda
Salva	Spreng	Yates		

VACANCIES: 002

Representative Lampe offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 15, by inserting after all of said section and line, the following:

“Section B. Section A of this bill shall not apply to a person who is pregnant as a result of a felony offense as defined in chapters 566 or 568, RSMo.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lampe moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Oxford offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 188.027, Page 3, and Lines 49-64, by deleting all of said lines and renumbering remaining subdivisions accordingly; and

Further amend said bill and section, Page 5, Line 140, by inserting after all of said line the following:

**"2. The physician who is to perform or induce the abortion or a qualified professional shall provide the woman with the opportunity to view an active ultrasound of the unborn child and hear the heartbeat of the unborn child if the heartbeat is audible. The woman shall be provided with a geographically indexed list maintained by the department of health and senior services of health care providers, facilities, and clinics that perform ultrasounds, including those that offer ultrasound services free of charge. Such materials shall provide contact information for each provider, facility, or clinic including telephone numbers and, if available, web site addresses. If the woman decides to obtain an ultrasound from a provider, facility, or clinic other than the abortion facility, the woman shall be offered a reasonable time to obtain the ultrasound examination before the date and time set for performing or inducing an abortion. The person conducting the ultrasound shall ensure that the active ultrasound image is of a quality consistent with standard medical practice in the community, contains the dimensions of the unborn child, and accurately portrays the presence of external members and internal organs, if present and viewable, of the unborn child. The auscultation of fetal heart tone must also be of a quality consistent with standard medical practice in the community."** and renumber remaining subsections accordingly; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Oxford moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

Representative Low (39) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 188.027, Page 4, Line 114, by striking the word “**months**” and inserting in lieu thereof the word “**years**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Onder offered **House Substitute Amendment No. 1 for House Amendment No. 4**.

*House Substitute Amendment No. 1  
for  
House Amendment No. 4*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 188.027, Page 4, Line 114, by striking the words “**eighteen months**” and inserting in lieu thereof the word “**twelve months**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Onder, **House Substitute Amendment No. 1 for House Amendment No. 4** was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Bringer
Bruns	Casey	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Deeken	Denison	Dethrow
Emery	Ervin	Faith	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Harris 110
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kuessner	Loehner
May	McGhee	Meadows	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Mr Speaker

NOES: 057

Aull	Bland	Brown 30	Burnett	Chappelle-Nadal
Curls	Daus	Day	Dixon	Donnelly
El-Amin	Fallert	Fares	Frame	George
Grill	Haywood	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Portwood	Quinn 9	Rucker	Scavuzzo
Schoemehl	Shively	Silvey	Skaggs	Storch
Talboy	Todd	Vogt	Walsh	Walton
Whorton	Wildberger	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker 25	Brown 50	Cooper 120	Corcoran	Darrough
Dougherty	Dusenberg	Harris 23	Hughes	Kraus
Marsh	Moore	Page	Robb	Robinson
Roorda	Salva	Sprenge	Yates	

VACANCIES: 002

Representative Talboy offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Section 565.315, Page 10, Line 15, by inserting after all of said section and line, the following:

“Section B. Section A of this act shall not apply to persons who have previously been pregnant or have adopted a child.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Talboy moved that **House Amendment No. 5** be adopted.

Which motion was defeated.

Representative Zimmerman offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Page 7, Section 188.027, Line 207 of said page, by inserting after the word "**information.**" the following:

**"All information for the materials shall come only from peer-reviewed data, supported by studies published in reputable medical or scientific journals, and supplied by national associations of physicians such as the American College of Obstetrics and Gynecology and the American Medical Association."**; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Onder offered **House Amendment No. 1 to House Amendment No. 6.**

*House Amendment No. 1  
to  
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for House Bill Nos. 1831 & 1472, Page 1, Line 5 of said amendment, by deleting the words "**come only from**" and inserting in lieu thereof the words "**be supported by**"; and

Further amend said page of said amendment, Line 6, by deleting the words "**supported by**" from said line; and

Further amend said page of said amendment, Lines 7 to 9, by deleting all of said lines and inserting in lieu thereof the following:

**"medical or scientific journals, surgery, obstetrical, gynecologic, anesthesia, medical, biology, neurology, or physiology textbooks, practice parameters, hospital protocols, or other materials deemed relevant by the department."**

On motion of Representative Onder, **House Amendment No. 1 to House Amendment No. 6** was adopted.

On motion of Representative Zimmerman, **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 134

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

NOES: 008

Daus	Fares	Komo	Low 39	Oxford
Skaggs	Talboy	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 25	Cooper 120	Donnelly	Harris 23
Haywood	Hughes	Kraus	Marsh	Moore
Page	Robb	Robinson	Roorda	Salva
Spreng	Threlkeld	Yates	Mr Speaker	

VACANCIES: 002

Representative Wildberger offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Page 7, Section 188.027, Line 221, by inserting after said line:

**"13. Any written material mandated in the provisions of this section shall be published in both English and Spanish.";** and

Further amend intersectional references accordingly.

Representative Wildberger moved that **House Amendment No. 7** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Aull	Bland	Brown 50	Burnett	Curls
Darrough	Daus	El-Amin	Grill	Hodges
Holsman	Hubbard	Johnson	Jones 117	Lampe
LeVota	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Oxford	Rucker	Salva	Schaaf
Schneider	Skaggs	Storch	Talboy	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Young			

NOES: 104

Avery	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Harris 110	Hobbs
Hoskins	Hunter	Icet	Jones 89	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lembke	Lipke	Loehner	May	McGhee
Meadows	Munzlinger	Muschany	Nance	Nieves

Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Zimmerman	Zweifel	

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 019

Baker 25	Cooper 120	Donnelly	Dougherty	Harris 23
Haywood	Hughes	Kraus	Liese	Marsh
Moore	Page	Robb	Robinson	Roorda
Spreng	Wright-Jones	Yates	Mr Speaker	

VACANCIES: 002

Representative Komo offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for House Bill Nos. 1831 & 1472, Page 1, Section 188.027, Line 6 of said page, by inserting after the number "(1)" the following:

"**A treating physician or**"; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Komo moved that **House Amendment No. 8** be adopted.

Which motion was defeated by the following vote:

AYES: 038

Aull	Bland	Brown 50	Chappelle-Nadal	Curls
Darrough	Daus	El-Amin	Fares	Frame
Holsman	Hoskins	Hubbard	Johnson	Komo
Kratky	Lampe	LeVota	Low 39	McClanahan
Nasheed	Norr	Oxford	Rucker	Skaggs
Storch	Talboy	Todd	Vogt	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

NOES: 103

Avery	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon

Dusenberg	Emery	Ervin	Faith	Fallert
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kuessner	Lembke
Liese	Lipke	Loehner	May	McGhee
Meiners	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159		

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Cooper 120	Donnelly	Dougherty	Harris 23
Haywood	Hughes	Kraus	Lowe 44	Marsh
Meadows	Moore	Page	Robb	Robinson
Roorda	Salva	Spreng	Yates	Mr Speaker

VACANCIES: 002

Representative Chappelle-Nadal offered **House Amendment No. 9**.

Representative Stevenson raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Onder, **HCS HBs 1831 & 1472, as amended**, was adopted.

On motion of Representative Onder, **HCS HBs 1831 & 1472, as amended**, was ordered perfected and printed by the following vote:

AYES: 108

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges



Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Kuessner	Lembke
Liese	Lipke	Loehner	May	McGhee
Meiners	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger		

NOES: 033

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	El-Amin	Fares	Frame
Haywood	Holsman	Hoskins	Johnson	Komo
Lampe	LeVota	Low 39	Lowe 44	McClanahan
Nasheed	Norr	Oxford	Skaggs	Storch
Talboy	Walton	Whorton	Wildberger	Wright-Jones
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Corcoran	Day	Donnelly	Dougherty
Harris 23	Hubbard	Hughes	Kraus	Marsh
Meadows	Moore	Page	Robb	Robinson
Roorda	Spreng	Vogt	Yates	Mr Speaker

VACANCIES: 002

**HB 1911**, relating to teacher certification, was placed on the Informal Calendar.

**HB 1806**, relating to Certificate of Need, was placed on the Informal Calendar.

**HCS HBs 2040 & 2430, as amended**, relating to educational personnel compensation, was placed on the Informal Calendar.

**HB 2191**, relating to the A+ Schools Program, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 2191** was ordered perfected and printed.

### REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HB 2058** - Fiscal Review (Fiscal Note)

## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SCS SB 944** - Fiscal Review (Fiscal Note)  
**SCS SB 873** - Higher Education

## **COMMITTEE REPORTS**

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SB 1175**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **HB 2514**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SCS SB 1105**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SS SCS SB 711**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1700**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1764**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2279**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 797**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 806**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 850**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 958**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 978**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1016**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1033**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1068**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1074**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1235**, begs leave to report it has examined the same and recommends that it **Do Pass by Consent**.

The following member's presence was noted: Harris (23).

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 16, 2008.

## **COMMITTEE MEETINGS**

### **BUDGET**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 3.

Executive session may follow.

Tax Credit Review.

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 4.

Executive session only.

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, April 17, 2008, 8:00 a.m. House Chamber south gallery.

Executive session only.

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, April 16, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1683, HB 2281, HB 2489, HB 2537, HB 2547

### **FISCAL REVIEW**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 6.

Any bills presented to this committee.

Public hearings to be held on: HCS HB 2058, HCS SCS SB 942, SS SCS SB 944

### **JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

### **JUDICIARY**

Thursday, April 17, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1334, HB 1641, HB 2275, SCS SB 1185

### **LOCAL GOVERNMENT**

Wednesday, April 16, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2347, HB 2550, HB 2367,  
HB 2396, HB 2474, HB 2026

### **RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, April 16, 2008, Hearing Room 3, 5:00 p.m. or upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCS SS SCS SB 711, SCS SB 1105,  
HCS SB 1175, HB 1871, HB 2207, HCS HB 2114, HCS HB 1745,  
HCS HB 1723, HCS HB 2034, HCS HB 1974, HB 2514, HCR 15,  
HCS HCRs 43 & 46, HCR 46

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, April 16, 2008, 9:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 2508

**SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS**

Wednesday, April 16, 2008, House Chamber south gallery upon morning recess.

Executive session may follow.

Public hearing to be held on: SS SCS SB 1059

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Thursday, April 17, 2008, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: SB 1140

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Wednesday, April 16, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2235, HB 2455

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, April 16, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 16, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1699, HB 2215

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 17, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: SCS SB 724

**SPECIAL COMMITTEE ON SENIOR CITIZEN ADVOCACY**

Wednesday, April 16, 2008, Hearing Room 1 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HB 2259

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 16, 2008, 9:00 a.m. Hearing Room 6.

Executive session may follow. AMENDED.

Public hearing to be held on: SB 863

**SPECIAL COMMITTEE ON TICKET TO WORK**

Wednesday, April 16, 2008, House Chamber south gallery upon afternoon adjournment.  
Executive session will be held on: HB 2354

**SPECIAL COMMITTEE ON TOURISM**

Wednesday, April 16, 2008, Hearing Room 1 upon morning recess.  
Executive session may follow.  
Public hearings to be held on: HCR 34, HCR 35, HB 1673

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, April 16, 2008, 12:00 p.m. Hearing Room 5.  
Executive session may follow. AMENDED.  
Public hearings to be held on: HB 1606, SCS SBs 1034 & 802

**WAYS AND MEANS**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 3.  
Possible Executive session  
Public hearings to be held on: HB 2246, HB 2361, HB 2405, HB 2461, SCS SB 1209

**HOUSE CALENDAR**

FIFTY-FOURTH DAY, WEDNESDAY, APRIL 16, 2008

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 2016 - Icet
- 2 HCS HB 2023 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1626 - Emery
- 2 HCS HB 1836 - Flook
- 3 HCS#2 HB 1886 - Scharnhorst
- 4 HCS HBs 1788 & 1882 - Day
- 5 HCS HB 1802 - Wilson (130)
- 6 HCS HB 1644 - Muschany
- 7 HCS HB 1813 - Dougherty
- 8 HCS HB 1649 - Franz
- 9 HCS#2 HB 1423 - St. Onge
- 10 HCS HBs 2062 & 1518 - Pearce
- 11 HCS HB 1474 - Cunningham (86)
- 12 HCS HB 2250 - Sutherland
- 13 HB 1957 - Hughes
- 14 HB 1756 - Walton
- 15 HCS HB 2060 - Deeken
- 16 HB 2144 - Whorton
- 17 HB 1535 - Deeken

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- 18     HB 1517 - Cox
- 19     HCS HB 2112 - Emery
- 20     HB 1372 - McGhee
- 21     HCS HB 1590 - Munzlinger
- 22     HCS HB 1504 - Walton
- 23     HCS HB 2156 - Grill
- 24     HCS HB 2159 - Grill
- 25     HB 1562 - LeVota
- 26     HCS HB 1383 - Cox
- 27     HCS HB 2239 - Stevenson
- 28     HCS HB 1438 - Kelly
- 29     HCS HB 1704 - Wallace
- 30     HB 1851 - Thomson
- 31     HCS HB 1990 - Wilson (130)
- 32     HCS HB 2059 - Wilson (130)
- 33     HCS HB 2110 - Dixon
- 34     HB 2202 - Kelly
- 35     HB 2590 - Moore

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1     HB 1911 - Muschany
- 2     HB 1806 - Schaaf
- 3     HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE JOINT RESOLUTION FOR THIRD READING**

HCS HJR 49 - Cox

**HOUSE BILLS FOR THIRD READING**

- 1     HCS HB 1929 - Cooper (120)
- 2     HCS HB 2328 - Wasson
- 3     HCS HB 2058, (Fiscal Review 4-15-08), E.C. - Pearce

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1     HB 1490 - Deeken
- 2     HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 7, (2-20-08, Pages 291-292) - Pearce
- 2 HCR 8, (2-20-08, Pages 293-294) - Scavuzzo
- 3 HCR 19, (2-21-08, Pages 305-306) - Sander
- 4 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 5 HCR 16, (3-05-08, Pages 422-423) - Bivins
- 6 HCR 18, (3-05-08, Pages 420-421) - Fisher
- 7 HCR 26, (3-13-08, Pages 495-496) - Dixon
- 8 HCS HCR 21, (3-13-08, Pages 497-498) - Smith (14)
- 9 HCR 25, (4-02-08, Pages 748-749) - Pratt
- 10 HCR 5, (4-02-08, Pages 750-751) - Smith (14)

**SENATE BILLS FOR THIRD READING - CONSENT**

(4/14/08)

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

(4/16/08)

- 1 HCS SB 723 - Bruns
- 2 HCS SB 733 - Bruns
- 3 HCS SCS SB 760 - St. Onge
- 4 HCS SB 797 - May
- 5 SB 801 - Flook
- 6 HCS SB 820 - Schieffer
- 7 SCS SB 850 - Meiners
- 8 HCS SB 856 - Fallert
- 9 SB 896 - McGhee
- 10 SB 928 - Schad
- 11 SB 936 - Lembke
- 12 HCS SB 943 - Schoeller
- 13 SCS SB 951 - Spreng
- 14 SB 956 - Hobbs
- 15 HCS SB 978 - Pollock
- 16 SB 979 - Dusenberg
- 17 SB 980 - Flook
- 18 SB 991 - Schlottach
- 19 SB 999 - Parson
- 20 HCS SB 1002 - Curls
- 21 HCS SCS SB 1008 - Ervin
- 22 SCS SB 1009, E.C. - Wasson
- 23 SB 1016 - Pratt
- 24 HCS SCS SB 1033 - Sutherland
- 25 HCS SCS SB 1039 - Weter
- 26 SCS SB 1044 - McGhee



- 27     SB 1061 - Cooper (120)
- 28     SB 1073 - Pearce
- 29     HCS SCS SB 1131 - Curls
- 30     HCS SB 1135 - Curls
- 31     SCS SB 1150 - Lembke
- 32     HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 33     SCS SB 1168 - Scharnhorst
- 34     SB 1177 - Cooper (155)
- 35     SB 1187 - Pollock
- 36     SB 1190 - Wasson
- 37     SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1     SB 1066 - Muschany
- 2     HCS SCS SB 942, (Fiscal Review 4-10-08) - Quinn (7)
- 3     SB 839 - Harris (110)
- 4     SS SCS SB 944, (Fiscal Review 4-15-08), E.C. - Robb
- 5     SCS SB 967, E.C. - Kingery
- 6     HCS SB 1010 - Stevenson

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-FOURTH DAY, WEDNESDAY, APRIL 16, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

You are worthy, O Lord God, to receive glory and honor and power. For You created all things and they exist because You created what You pleased.

A wise heart knows the proper time and procedure in all things. Since none of us knows the future, only You can reveal to us what is to come. Grant us insight that we may discern the proper time and procedure for every matter at hand.

Lord God, as we proceed through this day, may we diligently seek what is good and find favor with You and those we serve.

May You, Lord God, be with us as You have been from the start; for You will never leave us or abandon us. May You give us the desire to do Your will in everything and to obey all Your commands, decrees, and regulations. May these words that we have prayed in Your presence be before You constantly, day and night, so that You may give justice to us and to the people of this state according to each day's needs.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Hannah Johnson, Jared Hathcoat, Kori Caswell, Kristy Gruchalla, Jamie King, Katherine Meidl, Mikayla Todd, Brady Bowen, Christian Locke, Brady Novak, Patrick Smith, Grant Taylor, Nathan Smith, Elizabeth Wedekind and Nicole Woolbright.

The Journal of the fifty-third day was approved as printed.

## SPECIAL RECOGNITION

Floyd C. McComas was introduced by Representative Fisher and recognized as an Outstanding Missourian.

The Linn Wildcats High School Boys Basketball Team was introduced by Representative Loehner and recognized for attaining the 2007-2008 Class 3 State Championship.

## PERFECTION OF HOUSE BILLS

**HCS HB 1474**, relating to the conversion of manufactured homes, was taken up by Representative Cunningham (86).

Representative Richard assumed the Chair.

On motion of Representative Cunningham (86), **HCS HB 1474** was adopted.

On motion of Representative Cunningham (86), **HCS HB 1474** was ordered perfected and printed.

**HCS HB 2250**, relating to the Show-Me Green Tax Holiday Act, was taken up by Representative Sutherland.

Representative Sutherland offered **House Amendment No. 1**.

### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2250, Page 2, Section 144.067, Line 1, by deleting the words "**and local**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 1** was adopted.

Representative Sutherland offered **House Amendment No. 2**.

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2250, Section 144.052, Page 1, Lines 11 and 12, by deleting all of said lines and inserting in lieu thereof the following:

**"from state sales tax law the first one thousand five hundred dollars paid per new product for all retail sales of any energy efficient product during a seven-day period";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 2** was adopted.

On motion of Representative Sutherland, **HCS HB 2250, as amended**, was adopted.

On motion of Representative Sutherland, **HCS HB 2250, as amended**, was ordered perfected and printed.

**HCS HB 1626**, relating to assistance for illegal immigrants, was taken up by Representative Emery.

Representative Wildberger offered **House Amendment No. 1**.

Representative Smith (150) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Richard requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

**HCS HB 1626** was laid over.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Breanna Lea Burgess.

### **THIRD READING OF SENATE BILL**

**SB 1066**, relating to elementary and secondary education, was taken up by Representative Muschany.

Representative Smith (14) offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND Senate Bill No. 1066, Page 5, Section 160.530, Line 77, by deleting all of said line and inserting in lieu thereof the following:

**"section to any rural school district, the commissioner of education shall appear before the joint"; and**

Further amend said bill, Page 5, Section 160.530, Line 84, by inserting at the end of said line the following:

**" "Rural school district" shall mean any district in which the total number of students in average daily attendance at all of the schools served by the district is fewer than six hundred."; and**

Further amend said bill, Page 9, Section 1, Lines 2 to 4, by deleting all of said lines and inserting in lieu thereof the following:

**"the state auditor shall have the power to audit any rural school district within the state, as defined in subsection 5 of section 160.530, RSMo, in the same manner as the auditor may audit any agency of the state."; and**

Further amend said title, enacting clause and intersectional references accordingly.

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

NOES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Curls	Harris 23	Hoskins	Hubbard
Hughes	Hunter	Kraus	Meadows	Spreng
Yates	Zweifel			

VACANCIES: 002

Representative Smith (14) moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Cooper 120	El-Amin	Fares	Harris 23
Haywood	Hoskins	Hubbard	Hughes	Hunter
Kraus	Meadows	Spreng	Wallace	Yates
Zweifel				

VACANCIES: 002

On motion of Representative Muschany, **SB 1066** was truly agreed to and finally passed by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Lembke	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nieves	Nolte	Onder	Parkinson
Parson	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Young	Mr Speaker

NOES: 063

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrrough
Daus	Donnelly	Fallert	Frame	George
Harris 110	Haywood	Hodges	Johnson	Kingery
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	Lowe 44	McClanahan
Nance	Nasheed	Norr	Oxford	Page
Pearce	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Smith 14	Storch	Swinger	Talboy
Thomson	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright 159
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 003

Fares	Grill	Holsman
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ABSENT WITH LEAVE: 010

Bland	Harris 23	Hughes	Kraus	Loehner
Meadows	Spreng	Wallace	Yates	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**PERFECTION OF HOUSE BILLS**

**HCS HB 1626**, relating to assistance for illegal immigrants, was again taken up by Representative Emery.

Representative Kuessner offered **House Amendment No. 2**.

Representative Smith (150) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Nieves resumed the Chair.

Representative Talboy offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1626, Page 1, Section 208.009, Line 5, by inserting after the words "federal law.":

**"The provisions of this bill shall not apply to healthcare benefits."**

Representative Wildberger offered **House Amendment No. 1 to House Amendment No. 3**.

Representative Emery raised a point of order that **House Amendment No. 1 to House Amendment No. 3** goes beyond the scope of the underlying amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Talboy moved that **House Amendment No. 3** be adopted.

Which motion was defeated.

On motion of Representative Emery, **HCS HB 1626** was adopted.

On motion of Representative Emery, **HCS HB 1626** was ordered perfected and printed.

**HCS HBs 1788 & 1882**, relating to a tax deduction for military pensions, was taken up by Representative Day.



On motion of Representative Day, **HCS HBs 1788 & 1882** was adopted by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Lampe
Lembke	LeVota	Liese	Lipke	Low 39
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 007

Burnett	Daus	Harris 110	Oxford	Talboy
Villa	Young			

PRESENT: 001

Fisher

ABSENT WITH LEAVE: 012

Donnelly	Harris 23	Hughes	Kraus	Kuessner
Loehner	Lowe 44	Marsh	Robinson	Spreng
Vogt	Zweifel			

VACANCIES: 002

On motion of Representative Day, **HCS HBs 1788 & 1882** was ordered perfected and printed.

**HCS HB 1813**, relating to a tax exemption for bingo, was taken up by Representative Dougherty.

Representative Dusenberg offered **House Amendment No. 1**.

Representative Parson raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Dougherty, **HCS HB 1813** was adopted.

On motion of Representative Dougherty, **HCS HB 1813** was ordered perfected and printed.

**HCS HB 1649**, relating to driver's licenses, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1649** was adopted.

On motion of Representative Franz, **HCS HB 1649** was ordered perfected and printed.

**HCS HB 2156**, relating to a tax credit for stay-at-home parents, was taken up by Representative Grill.

**HCS HB 2156** was laid over.

**HCS HB 2060**, relating to the Department of Corrections employees' compensation, was taken up by Representative Deeken.

On motion of Representative Deeken, **HCS HB 2060** was adopted.

On motion of Representative Deeken, **HCS HB 2060** was ordered perfected and printed.

On motion of Representative Tilley, the House recessed until 8:00 p.m.

#### **EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

#### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 1911 through House Resolution No. 2003

**HOUSE CONCURRENT RESOLUTIONS**

**HCS HCR 21**, relating to area agencies on aging, was taken up by Representative Smith (14).

Representative Jones (89) assumed the Chair.

**HCS HCR 21** was laid over.

Speaker Pro Tem Pratt resumed the Chair.

**HCR 7**, relating to international education, was taken up by Representative Pearce.

Representative Jones (89) resumed the Chair.

On motion of Representative Pearce, **HCR 7** was adopted by the following vote:

AYES: 143

Aull	Bivins	Bland	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

NOES: 000

PRESENT: 001

Whorton

ABSENT WITH LEAVE: 017

Avery	Baker 25	Baker 123	Brown 50	Cooper 120
Donnelly	Harris 23	Hughes	Hunter	Kraus
Loehner	Marsh	Portwood	Robinson	Schoemehl
Spreng	Mr Speaker			

VACANCIES: 002

**HCR 19**, relating to deaf and hard of hearing children, was taken up by Representative Sander.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hubbard
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Schamhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates				

NOES: 060

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	El-Amin	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Hoskins	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Brown 50	Donnelly	Harris 23	Hughes
Hunter	Kraus	Loehner	Lowe 44	Marsh
Portwood	Robinson	Schoemehl	Spreng	Mr Speaker

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Sander, **HCR 19** was adopted.

**HCS HCR 21**, relating to area agencies on aging, was again taken up by Representative Smith (14).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hubbard	Iceet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Lipke	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 059

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	El-Amin	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Hoskins	Johnson	Komo	Kratky	Kuessner
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh

Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 015

Brown 50	Donnelly	Harris 23	Hughes	Hunter
Kraus	Lampe	Loehner	Marsh	Portwood
Robinson	Salva	Schoemehl	Spreng	Mr Speaker

VACANCIES: 002

On motion of Representative Smith (14), **HCS HCR 21** was adopted by the following vote:

AYES: 079

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Deeken	Denison	Dethrow	Dixon
Dougherty	El-Amin	Emery	Ervin	Faith
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Ice	Jones 89
Jones 117	Kelly	Kingery	Lembke	Liese
May	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Sander	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Tilley	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	

NOES: 064

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrrough
Daus	Davis	Dusenberg	Fallert	Fares
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Lipke	Low 39
Lowe 44	McClanahan	McGhee	Meadows	Meiners
Norr	Oxford	Page	Quinn 9	Roorda
Salva	Scavuzzo	Schieffer	Shively	Skaggs
Storch	Swinger	Talboy	Threlkeld	Todd
Viebrock	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	

PRESENT: 003

Hubbard	Kasten	Wright 159
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ABSENT WITH LEAVE: 015

Brown 50	Day	Donnelly	Harris 23	Hughes
Hunter	Kraus	Loehner	Marsh	Portwood
Robinson	Sater	Schoemehl	Spreng	Mr Speaker

VACANCIES: 002

**HCR 5**, relating to veterans' health care, was taken up by Representative Smith (14).

On motion of Representative Smith (14), **HCR 5** was adopted.

**HCR 8**, relating to hydrocephalus awareness, was taken up by Representative Scavuzzo.

Representative Scavuzzo offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 8, as it appears in the House Journal for February 20, 2008, Page 293, in the 12<sup>th</sup> paragraph, in the second line of said paragraph, by deleting the word "March" and inserting in lieu thereof the word "April"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scavuzzo, **House Amendment No. 1** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Aull	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Lipke	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 055

Bland	Bringer	Burnett	Casey	Chappelle-Nadal
Curls	Darrough	Daus	El-Amin	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Quinn 9	Roorda	Rucker
Scavuzzo	Schieffer	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 25	Brown 50	Corcoran	Donnelly
Harris 23	Hughes	Hunter	Kraus	Loehner
Lowe 44	Marsh	Page	Portwood	Robinson
Salva	Schoemehl	Spreng	Mr Speaker	

VACANCIES: 002

On motion of Representative Scavuzzo, **HCR 8, as amended**, was adopted.

**HCR 16**, relating to social security, was taken up by Representative Bivins.

On motion of Representative Bivins, **HCR 16** was adopted.

**HCR 18**, relating to the Missouri I-49 Coalition, was taken up by Representative Fisher.

On motion of Representative Fisher, **HCR 18** was adopted.

**HCR 26**, relating to fine arts education, was taken up by Representative Dixon.

Representative Lampe offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Concurrent Resolution No. 26, Page 3, Line 66, by inserting a "," after the words "General Assembly"; and

Further amend Page 3, Lines 66 and 67, by deleting the words "strongly urges and encourages"; and

Further amend Page 3, Line 67, by adding a "," after the words "State of Missouri"; and

Further amend Page 3, Line 68, by deleting the words "to secure these advantage to" and replacing them with "**shall fund**".

Representative Lampe moved that **House Amendment No. 1** be adopted.



Which motion was defeated by the following vote:

AYES: 062

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Cooper 155	Curls	Darrough	Daus
Dixon	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Johnson	Kasten
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Pearce	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoeller
Shively	Silvey	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

NOES: 076

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Ice	Jones 89	Jones 117	Kelly	Kingery
Lembke	Lipke	May	McGhee	Moore
Munzlinger	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pollock	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Self	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates				

PRESENT: 001

Fares

ABSENT WITH LEAVE: 022

Avery	Baker 25	Brown 50	Corcoran	Donnelly
Harris 23	Hughes	Hunter	Kraus	Loehner
Low 39	Lowe 44	Marsh	Muschany	Page
Portwood	Robinson	Schoemehl	Spreng	Walton
Young	Mr Speaker			

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	May	McGhee
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates

NOES: 049

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
McClanahan	Meiners	Norr	Oxford	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 027

Avery	Baker 25	Brown 50	Corcoran	Donnelly
El-Amin	Harris 23	Hughes	Hunter	Kraus
Loehner	Low 39	Lowe 44	Marsh	Meadows
Muschany	Page	Portwood	Robinson	Salva
Schaaf	Schoemehl	Spreng	Vogt	Walton
Young	Mr Speaker			

VACANCIES: 002

Representative Jones (89) resumed the Chair.

On motion of Representative Dixon, **HCR 26** was adopted.

**HCR 25**, relating to furniture safety, was taken up by Representative Pratt.

On motion of Representative Pratt, **HCR 25** was adopted by the following vote:

AYES: 130

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Lipke
McClanahan	McGhee	Meadows	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

NOES: 007

Baker 123	Cooper 120	Emery	Ice	May
Robb	Self			

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Brown 50	Corcoran	Donnelly	Harris 23
Hughes	Hunter	Kraus	Lembke	Loehner
Low 39	Lowe 44	Marsh	Meiners	Muschany
Page	Portwood	Robinson	Salva	Schoemehl
Spreng	Walton	Young	Mr Speaker	

VACANCIES: 002

### THIRD READING OF HOUSE BILL

**HCS HB 2328**, relating to tax incentives, was taken up by Representative Wasson.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wasson, **HCS HB 2328** was read the third time and passed by the following vote:

AYES: 105

Aull	Bivins	Brandom	Brown 30	Bruns
Casey	Cooper 155	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Haywood	Hobbs	Hoskins	Hubbard
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Lampe	Liese
Lipke	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Young

NOES: 030

Baker 25	Bland	Bringer	Burnett	Curls
Daus	Fallert	Frame	Harris 110	Hodges
Holsman	Johnson	Kuessner	LeVota	McClanahan
Oxford	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Shively	Talboy	Todd	Whorton
Wildberger	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Baker 123	Brown 50	Chappelle-Nadal	Cooper 120
Corcoran	Day	Donnelly	Harris 23	Hughes
Hunter	Kraus	Lembke	Loehner	Low 39
Lowe 44	Marsh	Muschany	Page	Portwood
Robinson	Salva	Schoemehl	Spreng	Walton
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HCS HBs 1788 & 1882** - Fiscal Review (Fiscal Note)  
**HCS HB 1813** - Fiscal Review (Fiscal Note)  
**HCS HBs 1831 & 1472** - Fiscal Review (Fiscal Note)  
**HCS HB 2060** - Fiscal Review (Fiscal Note)  
**HB 2191** - Fiscal Review (Fiscal Note)  
**HCS HB 2250** - Fiscal Review (Fiscal Note)  
**HCS HB 2393** - Fiscal Review (Fiscal Note)

## REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**SB 748** - Special Committee on Tax Reform

## COMMITTEE REPORTS

**Committee on Conservation and Natural Resources**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCS SB 907**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was referred **SB 1038**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Elections, to which was referred **SB 1288**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was returned **HCS SB 885**, begs leave to report it has examined the same and recommends that **SB 885 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Financial Institutions**, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **SS SCS SB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1599**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 2210**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 2413**, **HB 2355**, **HB 2394** and **HB 2398**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 15**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCRs 43 & 46**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1723**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1745**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1871**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1974**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2034**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2114**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2207**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2514**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 711**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1105**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1175**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2001**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2002**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the State Board of Education and the Department of Elementary and Secondary Education, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2003**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2004**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Revenue, Department of Transportation, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2005**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Office of Administration, the Department of Transportation, the Department of Public Safety, and the Chief Executive's Office, and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2006**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Agriculture, Department of Natural Resources, Department of Conservation, and the several divisions and programs thereof and for the expenses, grants, refunds, distributions, and capital improvements projects involving the repair, replacement, and maintenance of state buildings and facilities of the Department of Natural Resources and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds, for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2007**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Economic Development, Department of Insurance, Financial Institutions and Professional Registration, and Department of Labor and Industrial Relations and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.



## COMMUNICATION

April 16, 2008

Mr. Adam Crumbliss  
Chief Clerk  
Missouri House of Representatives

Dear Mr. Crumbliss:

The Committee on Budget has adopted the attached motion under Section 33.282, RSMo, and request that it be printed in the Journal of the House.

Sincerely,

/s/ Allen Icet  
State Representative  
District 84

### MOTION OF APPROVAL PURSUANT TO SECTION 33.282, RSMo

Having reviewed the estimates of new tax credits for Fiscal Year 2009 submitted to the Chairman of the House Budget Committee by the Budget Director to Section 33.282, RSMo, the Committee on Budget, under the authority of Section 33.282, hereby approves those estimated new tax credits for any tax year beginning after July 1, 2008 and before June 30, 2009, and directs the Chairman of the Committee to report adoption of this Motion to the Chief Clerk of the House and request that the Motion be printed in the Journal of the House.

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, April 17, 2008.

## COMMITTEE MEETINGS

### CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, April 22, 2008, Hearing Room 4 upon evening adjournment.

Executive session may follow.

Public hearing to be held on: SCS SB 1157

### CRIME PREVENTION AND PUBLIC SAFETY

Thursday, April 17, 2008, 8:00 a.m. Hearing Room 4.

Executive session only. AMENDED.

### FISCAL REVIEW

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 6.

Any bills presented to this committee.

Public hearings to be held on: HCS HB 2058, HCS SCS SB 942, SS SCS SB 944

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, April 21, 2008, 12:00 p.m. Hearing Room 6.

Second Injury fund reports.

Some portions of the meeting may be closed pursuant to Section 610.021.

**JOINT COMMITTEE ON PUBLIC EMPLOYEE RETIREMENT**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 1.

Second quarter meeting.

**JUDICIARY**

Thursday, April 17, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: HB 1334, HB 1641, HB 2275, SCS SB 1185

**RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, April 17, 2008, Hearing Room 6 immediately upon adjournment.

Executive session may follow.

Public hearings to be held on: SS SCS SB 1059, HB 2343, HB 2129,

HB 1425, HB 2429, HCS HB 2282, HCS HB 1857, HCS HB 1839

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Thursday, April 17, 2008, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: SB 1140

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, April 17, 2008, Hearing Room 7 upon morning adjournment.

Executive session.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, April 17, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearing to be held on: SCS SB 724

**SPECIAL COMMITTEE ON UTILITIES**

Thursday, April 17, 2008, House Chamber south gallery upon morning adjournment.

Executive session will follow. AMENDED.

**WAYS AND MEANS**

Thursday, April 17, 2008, 8:30 a.m. Hearing Room 3.

Possible Executive session.

Public hearings to be held on: HB 2246, HB 2361, HB 2405, HB 2461, SCS SB 1209

## HOUSE CALENDAR

FIFTY-FIFTH DAY, THURSDAY, APRIL 17, 2008

### HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 2016 - Icet
- 2 HCS HB 2023 - Icet

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HCS#2 HB 1423 - St. Onge
- 6 HCS HBs 2062 & 1518 - Pearce
- 7 HB 1957 - Hughes
- 8 HB 1756 - Walton
- 9 HB 2144 - Whorton
- 10 HB 1535 - Deeken
- 11 HB 1517 - Cox
- 12 HCS HB 2112 - Emery
- 13 HB 1372 - McGhee
- 14 HCS HB 1590 - Munzlinger
- 15 HCS HB 1504 - Walton
- 16 HCS HB 2156 - Grill
- 17 HCS HB 2159 - Grill
- 18 HB 1562 - LeVota
- 19 HCS HB 1383 - Cox
- 20 HCS HB 2239 - Stevenson
- 21 HCS HB 1438 - Kelly
- 22 HCS HB 1704 - Wallace
- 23 HB 1851 - Thomson
- 24 HCS HB 1990 - Wilson (130)
- 25 HCS HB 2059 - Wilson (130)
- 26 HCS HB 2110 - Dixon
- 27 HB 2202 - Deeken
- 28 HB 2590 - Moore

### HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE JOINT RESOLUTIONS FOR THIRD READING**

- 1 HCS HJR 49 - Cox
- 2 HCS HJR 71 - Fisher

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2058, (Fiscal Review 4-15-08), E.C. - Pearce
- 3 HCS HB 2393, (Fiscal Review 4-16-08) - Richard
- 4 HCS HBs 1831 & 1472, (Fiscal Review 4-16-08) - Onder
- 5 HB 2191, (Fiscal Review 4-16-08) - Nasheed
- 6 HCS HB 1474 - Cunningham (86)
- 7 HCS HB 2250, (Fiscal Review 4-16-08), E.C. - Sutherland
- 8 HCS HB 1626 - Emery
- 9 HCS HBs 1788 & 1882, (Fiscal Review 4-16-08) - Day
- 10 HCS HB 1813, (Fiscal Review 4-16-08) - Dougherty
- 11 HCS HB 1649 - Franz
- 12 HCS HB 2060, (Fiscal Review 4-16-08) - Deeken

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTION**

HCR 11, (3-05-08, Pages 421-422) - Nolte

**SENATE BILLS FOR THIRD READING - CONSENT**

(4/14/08)

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

(4/16/08)

- 1 HCS SB 723 - Bruns
- 2 HCS SB 733 - Bruns
- 3 HCS SCS SB 760 - St. Onge
- 4 HCS SB 797 - May
- 5 SB 801 - Flook
- 6 HCS SB 820 - Schieffer
- 7 SCS SB 850 - Meiners
- 8 HCS SB 856 - Fallert

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- 9        SB 896 - McGhee
- 10       SB 928 - Schad
- 11       SB 936 - Lembke
- 12       HCS SB 943 - Schoeller
- 13       SCS SB 951 - Spreng
- 14       SB 956 - Hobbs
- 15       HCS SB 978 - Pollock
- 16       SB 979 - Dusenber
- 17       SB 980 - Flook
- 18       SB 991 - Schlottach
- 19       SB 999 - Parson
- 20       HCS SB 1002 - Curls
- 21       HCS SCS SB 1008 - Ervin
- 22       SCS SB 1009, E.C. - Wasson
- 23       SB 1016 - Pratt
- 24       HCS SCS SB 1033 - Sutherland
- 25       HCS SCS SB 1039 - Weter
- 26       SCS SB 1044 - McGhee
- 27       SB 1061 - Cooper (120)
- 28       SB 1073 - Faith
- 29       HCS SCS SB 1131 - Curls
- 30       HCS SB 1135 - Curls
- 31       SCS SB 1150 - Lembke
- 32       HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 33       SCS SB 1168 - Scharnhorst
- 34       SB 1177 - Cooper (155)
- 35       SB 1187 - Pollock
- 36       SB 1190 - Wasson
- 37       SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1        HCS SCS SB 942, (Fiscal Review 4-10-08) - Quinn (7)
- 2        SB 839 - Harris (110)
- 3        SS SCS SB 944, (Fiscal Review 4-15-08), E.C. - Robb
- 4        SCS SB 967, E.C. - Kingery
- 5        HCS SB 1010 - Stevenson

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1        SCS HCS HB 2002 - Icet
- 2        SCS HCS HB 2003 - Icet
- 3        SCS HB 2004 - Icet
- 4        SCS HCS HB 2005 - Icet
- 5        SCS HCS HB 2006 - Icet
- 6        SCS HCS HB 2007 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-FIFTH DAY, THURSDAY, APRIL 17, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, God of Spring, of freedom and fresh hope,  
You enkindle the sun after the death of winter.  
You send the gentle rains  
To renew the face of the Earth.  
Bring us new life in the warmth of this season.

Bring us the life that strengthens us  
For increasing justice and right, freedom and peace in our State and in our part of the world.

God of Hope, bring new life to the leaders of nations and of churches and religions,  
urging and energizing them in peace-making, that war and terror may end, and armed  
forces may return to their homelands.

We praise and honor You, our God, who live and reign forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kasen Dean Rademan, Will Conerly, Samantha Frese, Caroline Moorehouse, Hannah Ceselski, Erin Wong, Isaac Rife, Victoria Meek, Peyton John, Bobby Onder, Elizabeth Onder, Michael Onder, Joseph Onder, Christine Onder, Peter Onder, Katy Dimes, Kayce Allen-Hutton, Jonathan Mette, Jordan Mette, Joey Deckard, Vincent Fank, Katie Wilkinson, Jessie Moore, Holly RayAnn O'Dell and Jacob Gant.

The Journal of the fifty-fourth day was approved as corrected by the following vote:

AYES: 124

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Holsman	Hoskins
Icet	Jones 89	Jones 117	Kasten	Kelly

Kingery	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	Meadows	Meiners	Moore
Munzlinger	Nance	Nasheed	Nieves	Nolte
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	

NOES: 007

Daus	George	Haywood	Johnson	Lowe 44
Talboy	Whorton			

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 029

Baker 123	Bland	Chappelle-Nadal	Cooper 155	Corcoran
Donnelly	Dusenberg	Flook	Harris 23	Hodges
Hubbard	Hughes	Hunter	Komo	Kraus
Low 39	McGhee	Muschany	Norr	Quinn 9
Robinson	Roorda	Salva	Schoemehl	Spreng
Vogt	Walton	Wildberger	Mr Speaker	

VACANCIES: 002

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2004 through House Resolution No. 2016

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 1788 & 1882** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1813** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 1831 & 1472** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2058** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2060** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HB 2191** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2250** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2393** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 942** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 944** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

### **THIRD READING OF HOUSE BILL**

**HCS HB 2058**, relating to business development tax incentives, was taken up by Representative Pearce.

Representative Richard assumed the Chair.

On motion of Representative Pearce, **HCS HB 2058** was read the third time and passed by the following vote:

AYES: 135

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Salva	Sander	Sater



Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 012

Bringer	Burnett	Daus	Frame	Harris 110
Kuessner	Lowe 44	McClanahan	Oxford	Whorton
Wildberger	Witte			

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Deeken	Harris 23	Hubbard	Hughes
Johnson	Kasten	Kraus	Low 39	Robinson
Roorda	Ruzicka	Spreng	Zweifel	

VACANCIES: 002

Representative Richard declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Haywood	Hobbs	Hodges	Holsman	Hoskins
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14

Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Mr Speaker			

NOES: 002

Harris 110	Whorton
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PRESENT: 002

George	Oxford
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ABSENT WITH LEAVE: 015

Deeken	Harris 23	Hubbard	Hughes	Hunter
Kasten	Kraus	Low 39	Lowe 44	Parson
Robinson	Roorda	Spreng	Viebrock	Zweifel

VACANCIES: 002

### THIRD READING OF HOUSE JOINT RESOLUTION

**HCS HJR 49**, relating to the Appellate Judicial Commission, was taken up by Representative Cox.

Representative Burnett made a privileged motion to lay **HCS HJR 49** on the table.

Which motion was defeated by the following vote:

AYES: 058

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Johnson	Komo
Kratky	Lampe	LeVota	Liese	Lowe 44
McClanahan	Meadows	Meiners	Norr	Oxford
Page	Quinn 9	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

NOES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Denison	Dethrow	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest

Hobbs	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper 120	Darrough	Deeken	Dixon	Dougherty
Hubbard	Hughes	Kraus	Kuessner	Low 39
Robinson	Roorda	Spreng	Zweifel	

VACANCIES: 002

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Holsman	Hoskins	Hubbard
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 120	Hodges	Hughes	Kraus	Robinson
Roorda	Spreng	Zweifel		

VACANCIES: 002

Representative Cox moved that **HCS HJR 49** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 069

Avery	Baker 123	Bivins	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Dethrow	Dixon	Emery	Ervin
Faith	Franz	Funderburk	Hobbs	Hunter
Ice	Jones 117	Kasten	Kelly	Kingery
Lembke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nieves	Nolte	Onder
Parkinson	Parson	Portwood	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Smith 14	Smith 150	Stevenson	Stream
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

NOES: 083

Aull	Baker 25	Bland	Brandom	Bringer
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Deeken	Denison
Donnelly	Dusenberg	El-Amin	Fallert	Fares
Fisher	Flook	Frame	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	Lowe 44	Marsh

McClanahan	Meadows	Meiners	Nance	Nasheed
Norr	Oxford	Page	Pearce	Pollock
Pratt	Quinn 9	Rucker	Salva	Scavuzzo
Schieffer	Schneider	Schoemehl	Shively	Silvey
Skaggs	St. Onge	Storch	Sutherland	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zimmerman		

PRESENT: 002

Dougherty Jones 89

ABSENT WITH LEAVE: 007

Cooper 120	Hughes	Kraus	Robinson	Roorda
Spreng	Zweifel			

VACANCIES: 002

Speaker Jetton assumed the Chair.

### **SIGNING OF HOUSE BILL**

All other business of the House was suspended while **CCS SCS HCS HB 2014** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **CCS SCS HCS HB 2014** was delivered to the Governor by the Chief Clerk of the House.

Speaker Pro Tem Pratt resumed the Chair.

### **THIRD READING OF HOUSE JOINT RESOLUTION**

**HCS HJR 71**, relating to sales tax for veterans' services, was taken up by Representative Fisher.

Representative Yates moved that **HCS HJR 71** be recommitted to the committee of origin.

Which motion was defeated by the following vote:

AYES: 022

Avery	Brown 30	Daus	Grill	Harris 110
Holsman	Hubbard	Kratky	Lampe	Low 39
Lowe 44	Oxford	Rucker	Salva	Scavuzzo
Schieffer	Skaggs	Talboy	Villa	Yaeger
Yates	Zimmerman			

NOES: 123

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kuessner	Lembke	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Mr Speaker		

PRESENT: 002

Darrough                      Dougherty

ABSENT WITH LEAVE: 014

Baker 25	Corcoran	Dusenberg	Hughes	Johnson
Kraus	LeVota	Onder	Robinson	Roorda
Spreng	Wright-Jones	Young	Zweifel	

VACANCIES: 002

Representative Cooper (120) assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Loehner	Marsh	May	Meiners

Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 054

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Darrough	Daus	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker 25	Corcoran	Cox	Curls	Donnelly
Dusenberg	Haywood	Hughes	Johnson	Kraus
Lipke	McGhee	Onder	Quinn 9	Robinson
Roorda	Spreng	Wright-Jones	Zweifel	

VACANCIES: 002

On motion of Representative Fisher, **HCS HJR 71** was read the third time and passed by the following vote:

AYES: 106

Aull	Bland	Brandom	Bringer	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Darrough	Day	Deeken
Dethrow	Donnelly	Dougherty	Faith	Fallert
Fares	Fisher	Funderburk	George	Guest
Harris 23	Hobbs	Holsman	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Liese	Loehner	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Page
Parkinson	Pearce	Pollock	Quinn 7	Quinn 9
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sater	Sander	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoemehl
Self	Shively	Smith 14	Smith 150	Stevenson

St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Mr Speaker				

NOES: 039

Avery	Baker 123	Bivins	Brown 30	Cunningham 86
Daus	Davis	Denison	Dixon	El-Amin
Emery	Ervin	Flook	Frame	Franz
Grill	Harris 110	Hodges	Jones 89	Lembke
LeVota	Lipke	Low 39	Lowe 44	Marsh
McClanahan	Muschany	Oxford	Parson	Portwood
Pratt	Schoeller	Silvey	Skaggs	Talboy
Villa	Yates	Young	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 25	Burnett	Corcoran	Curls	Dusenberg
Grisamore	Haywood	Hughes	Kraus	Onder
Robinson	Roorda	Schieffer	Spreng	Wright-Jones
Zweifel				

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2298** - Special Committee on Energy and Environment  
**HB 2416** - Special Committee on General Laws  
**HB 2438** - Special Committee on Workforce Development and Workplace Safety  
**HB 2475** - Judiciary  
**HB 2480** - Health Care Policy  
**HB 2509** - Local Government  
**HB 2580** - Special Committee on Tax Reform

### **REFERRAL OF SENATE CONCURRENT RESOLUTION**

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 40** - Special Committee on Small Business



### REFERRAL OF SENATE JOINT RESOLUTION

The following Senate Joint Resolution was referred to the Committee indicated:

**SJR 34** - Crime Prevention and Public Safety

### REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SB 932** - Fiscal Review (Fiscal Note)

**HCS SB 1175** - Fiscal Review (Fiscal Note)

**SS SCS SBs 714, 933, 899 & 758** - Crime Prevention and Public Safety

**SCS SB 720** - Special Committee on Utilities

**SCS SB 732** - Crime Prevention and Public Safety

**SB 762** - Special Committee on Student Achievement

**SS SCS SB 768** - Health Care Policy

**SS SCS SB 778** - Health Care Policy

**SS SCS SB 846** - Higher Education

**SCS SB 994** - Special Committee on General Laws

**SCS SBs 1225 & 1226** - Special Committee on Student Achievement

### COMMITTEE REPORTS

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **SB 925**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 781**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 939**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Government Affairs**, Chairman Deeken reporting:

Mr. Speaker: Your Special Committee on Government Affairs, to which was referred **SB 1140**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 724**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **HB 2458**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **SB 863**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Ticket to Work**, Chairman Portwood reporting:

Mr. Speaker: Your Special Committee on Ticket to Work, to which was referred **HB 2354**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tourism**, Chairman Marsh reporting:

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 34

WHEREAS, the health and safety of our children is of highest concern to the citizens of Missouri; and

WHEREAS, promoting safe and healthful walking and bicycling to school is important to Missouri students, parents, and teachers, and has been shown to improve student's health and academic performance; and

WHEREAS, hundreds of children could be saved from harm each year if communities take steps to make pedestrian safety a priority; and

WHEREAS, driving students to school by private vehicle contributes to traffic congestion and air pollution, creating over 25% of community traffic at the beginning and end of each school day; and

WHEREAS, lack of physical activity plays a leading role in rising rates of obesity, diabetes, and other health problems among children, and walking or bicycling to school offers an opportunity to build healthful physical activity into a child's daily routine; and

WHEREAS, the number of children walking and bicycling to school has decreased dramatically in recent years, with less than 10% of students walking or bicycling to school now compared to 50% just 30 years ago; and

WHEREAS, the MoDOT Safe Routes to School program is helping dozens of Missouri communities make the neighborhoods near their schools safer and more inviting for walking and bicycling, and developing programs to encourage parents and students to walk and bicycle to school; and

WHEREAS, an important role for parents and caregivers is to teach children about pedestrian safety and become aware of the difficulties and dangers that children face on their trips to school each day and the health and environmental risks related to physical inactivity and air pollution; and

WHEREAS, community members and leaders should make a plan to make immediate changes to enable children to safely walk and bicycle in our communities and develop a list of suggestions for improvements that can be done over time; and

WHEREAS, children, parents, and community leaders around the world are joining together to walk to school and evaluate walking and bicycling conditions in their communities; and

WHEREAS, Walk and Bicycle to School Month in October and Walk and Bicycle to School Week the first week in October have proven to be helpful in encouraging children to safely walk and bicycle to school and in creating and promoting local Safe Route to Schools programs across the United States and throughout the world:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the month of October 2008 as "Walk and Bicycle to School Month", the week of October 6-10, 2008, as "Walk and Bicycle to School Week", and October 8, 2008, as "Walk and Bicycle to School Day" in Missouri; and

BE IT FURTHER RESOLVED that the General Assembly urges all students, parents, teachers, administrators, schools, and school districts to participate in these events.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HCR 35**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

#### HOUSE CONCURRENT RESOLUTION NO. 35

WHEREAS, the bicycle is a viable and environmentally sound form of transportation and an excellent form of recreation; and

WHEREAS, millions of Missourians will experience the joys of bicycling during the month of May through educational programs, races, commuting events, trail work days, helmet promotion, charity events, or just getting out and going for a ride; and

WHEREAS, Missouri's Katy Trail attracts hundreds of thousands of bicyclists each year from all 50 states and from across the globe, providing economic, health, and scenic benefits to the citizens of Missouri and the world; and

WHEREAS, Missouri hosts four major cross-country bicycle tourism routes that attracts thousands of cross-country and local bicyclists each year, including the Mississippi River/Great Rivers Trail, the American Discovery Trail, the Lewis and Clark Trail, and the TransAmerican Trail; and

WHEREAS, the Tour of Missouri bicycle race is poised to again bring hundreds of world-class athletes and thousands of bicycle tourists to Missouri on September 8-14, 2008, and put Missouri's bicycling attractions and scenic countryside before a world stage; and

WHEREAS, these bicycling activities and attractions have great potential to have a positive impact on Missouri's economy and tourism industry and to stimulate economic development by making the state attractive to businesses and citizens who enjoy the out of doors and healthy lifestyles; and

WHEREAS, creating bicycle-friendly communities has been shown to improve citizens' health, well-being, and quality of life, to boost community spirit, to improve traffic safety, and to reduce pollution and congestion; and

WHEREAS, May has been declared National Bike Month for each of the last 52 years, and is so again in 2008; and

WHEREAS, the League of American Bicyclists, the Missouri Bicycle Racing Association, the Missouri Bicycle Federation, bicycle clubs, schools, parks and recreation departments, police departments, hospitals, companies and civic groups through Missouri will be promoting bicycling as a leisure activity as well as an environmentally-friendly alternative to the automobile during the month of May 2008; and

WHEREAS, the education of bicyclists and motorists as to the proper and safe operation of bicycles is important to ensure the safety and comfort of all users; and

WHEREAS, the Missouri Bicycle Federation, the Kansas City Share the Road Safety Task Force, St. Louis TrailNet, the St. Louis Regional Bicycle Federation, GetAbout Columbia, the Columbia PedNet Coalition, Velo Girardeau, SpringBike, Ozark Greenways, Parkland Cyclists, St. Joseph Bicycle Club, Quad States Trails of St. Joseph, and other organizations across the state will promote bicycle safety during the month of May 2008:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby recognize the month of May 2008 as "National Bike Month and Bicycle Safety Month", and the week of May 12-16, 2008, as "Bike to Work Week"; and

BE IT FURTHER RESOLVED that the General Assembly urges all who support bicycling to participate in the events planned and urges all road users to share the road safety with bicyclists.

Mr. Speaker: Your Special Committee on Tourism, to which was referred **HB 1673**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Workforce Development and Workplace Safety**, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **HB 2365**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1425**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1839**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1857**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2129**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2282**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2343**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 1059**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2008**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2009**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Corrections and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2010**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2011**, entitled:

An act to appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2012**, entitled:

An act to appropriate money for the expenses, grants, refunds, and distributions of the Chief Executive's Office and Mansion, Lieutenant Governor, Secretary of State, State Auditor, State Treasurer, Attorney General, Missouri Prosecuting Attorneys and Circuit Attorneys Retirement Systems, and the Judiciary and the Office of the State Public Defender, and the several divisions and programs thereof, and for the payment of salaries and mileage of members of the State Senate and the House of Representatives and contingent expenses of the General Assembly, including salaries and expenses of elective and appointive officers and necessary capital improvements expenditures; for salaries and expenses of members and employees and other necessary operating expenses of the Missouri Commission on Interstate Cooperation, the Committee on Legislative Research, various joint committees, for the expenses of the interim committees established by the General Assembly, and to transfer money among certain funds, to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2013**, entitled:

An act to appropriate money for real property leases, related services, utilities, systems furniture, structural modifications, and related expenses for the several departments of state government and the divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to appropriate money for capital improvements and the other expenses of the Office of Administration and the divisions and programs thereof, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1081**, entitled:

An act to repeal sections 210.900, 210.903, 210.906, 210.909, 210.915, 210.921, 210.927, 630.165, 630.167, and 633.005, RSMo, and to enact in lieu thereof fifteen new sections relating to quality assurance and safety in the division of mental retardation and developmental disabilities community programs, with penalty provisions, an emergency clause for a certain section, and an expiration date for a certain section.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1139**, entitled:

An act to repeal sections 58.451, 58.720, 194.119, 194.210, 194.220, 194.230, 194.233, 194.240, 194.250, 194.260, 194.270, 194.280, 194.290, 194.304, and 302.171, RSMo, and to enact in lieu thereof twenty-nine new sections relating to anatomical gifts, with penalty provisions.

In which the concurrence of the House is respectfully requested.

The following member's presence was noted: Roorda.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 2:00 p.m., Monday, April 21, 2008.

### **CORRECTIONS TO THE HOUSE JOURNAL**

#### **AFFIDAVITS**

I, State Representative Jane Cunningham, District 86, hereby state and affirm that my vote as recorded on Page 958 of the House Journal for April 16, 2008 was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted present. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of April 2008.

/s/ Jane Cunningham  
State Representative

State of Missouri )  
 )  
Signed in Cole County ) ss.  
Notary commissioned in County of Miller )

Subscribed and sworn to before me this 17th day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

I, State Representative John Burnett, District 40, hereby state and affirm that my vote as recorded on the motion to third read and finally pass House Committee Substitute for House Joint Resolution No. 71 as recorded in the House Journal for April 17, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of April 2008.

/s/ John Burnett  
State Representative

State of Missouri )  
 )  
Signed in County of Cole ) ss.  
Notary Commissioned in County Miller )

Subscribed and sworn to before me this 17th day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

\_\_\_\_\_  
I, State Representative Ed Schieffer, District 11, hereby state and affirm that my vote as recorded on the motion to third read and finally pass House Committee Substitute for House Joint Resolution No. 71 as recorded in the House Journal for April 17, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 17th day of April 2008.

/s/ Ed Schieffer  
State Representative

State of Missouri )  
 )  
Signed in County of Cole ) ss.  
Notary Commissioned County of Miller )

Subscribed and sworn to before me this 17th day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

## **COMMITTEE MEETINGS**

### **CORRECTIONS AND PUBLIC INSTITUTIONS**

Tuesday, April 22, 2008, Hearing Room 4 upon evening adjournment.  
Executive session may follow.  
Public hearing to be held on: SCS SB 1157

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, April 22, 2008, 12:00 p.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 2257, SS SCS SBs 818 & 795

### **HEALTH CARE POLICY**

Tuesday, April 22, 2008, Hearing Room 5 upon morning recess.  
Executive session may follow.  
Public hearing to be held on: HB 1829

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, April 21, 2008, 1:00 p.m. Hearing Room 6.  
Second Injury fund reports.  
Some portions of the meeting may be closed pursuant to Section 610.021. AMENDED.



**LOCAL GOVERNMENT**

Wednesday, April 23, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2026, HB 1603, HB 2000, HB 2245, HB 2544

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Monday, April 21, 2008, 1:00 p.m. Hearing Room 5.

Executive session.

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, April 22, 2008, 9:15 a.m. Hearing Room 4.

Executive session. AMENDED.

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, April 22, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2416, HJR 56, SCS SB 994

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 22, 2008, 9:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1916, SB 822

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, April 22, 2008, Hearing Room 4, 12:00 p.m. or upon morning recess.

Executive session may follow.

Public hearings to be held on: SB 748, HB 2580

**TRANSPORTATION**

Tuesday, April 22, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 2536

**HOUSE CALENDAR**

FIFTY-SIXTH DAY, MONDAY, APRIL 21, 2008

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

1 HCS HB 2016 - Icet

2 HCS HB 2023 - Icet

**HOUSE BILLS FOR PERFECTION**

1 HCS HB 1836 - Flook

2 HCS#2 HB 1886 - Scharnhorst

3 HCS HB 1802 - Wilson (130)

- 4 HCS HB 1644 - Muschany
- 5 HCS#2 HB 1423 - St. Onge
- 6 HCS HBs 2062 & 1518 - Pearce
- 7 HB 1957 - Hughes
- 8 HB 1756 - Walton
- 9 HB 2144 - Whorton
- 10 HB 1535 - Deeken
- 11 HB 1517 - Cox
- 12 HCS HB 2112 - Emery
- 13 HB 1372 - McGhee
- 14 HCS HB 1590 - Munzlinger
- 15 HCS HB 1504 - Walton
- 16 HCS HB 2156 - Grill
- 17 HCS HB 2159 - Grill
- 18 HB 1562 - LeVota
- 19 HCS HB 1383 - Cox
- 20 HCS HB 2239 - Stevenson
- 21 HCS HB 1438 - Kelly
- 22 HCS HB 1704 - Wallace
- 23 HB 1851 - Thomson
- 24 HCS HB 1990 - Wilson (130)
- 25 HCS HB 2059 - Wilson (130)
- 26 HCS HB 2110 - Dixon
- 27 HB 2202 - Deeken
- 28 HB 2590 - Moore
- 29 HCS HB 1516 - Bruns
- 30 HCS HB 1700 - Wasson
- 31 HCS HB 1723 - Franz
- 32 HCS HB 1745 - Robb
- 33 HB 1764 - Parson
- 34 HB 1871 - Deeken
- 35 HB 1934 - May
- 36 HCS HB 1974 - Schlottach
- 37 HCS HB 2034 - Munzlinger
- 38 HB 2078 - Hubbard
- 39 HCS HB 2114 - Zimmerman
- 40 HB 2207 - Hoskins
- 41 HB 2266 - Jones (89)
- 42 HCS HB 2279 - Wright
- 43 HB 2514 - Weter

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2393 - Richard
- 3 HCS HBs 1831 & 1472 - Onder
- 4 HB 2191 - Nasheed
- 5 HCS HB 1474 - Cunningham (86)
- 6 HCS HB 2250, E.C. - Sutherland
- 7 HCS HB 1626 - Emery
- 8 HCS HBs 1788 & 1882 - Day
- 9 HCS HB 1813 - Dougherty
- 10 HCS HB 1649 - Franz
- 11 HCS HB 2060 - Deeken

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**SENATE BILLS FOR SECOND READING**

- 1 SCS SB 1081
- 2 SCS SB 1139

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 15, (4-10-08, Pages 888-889) - Kuessner
- 3 HCS HCRs 43 & 46, (4-09-08, Pages 860-861) - Funderburk

**SENATE BILLS FOR THIRD READING - CONSENT**

(4/14/08)

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

(4/16/08)

- 1 HCS SB 723 - Bruns
- 2 HCS SB 733 - Bruns
- 3 HCS SCS SB 760 - St. Onge

- 4 HCS SB 797 - May
- 5 SB 801 - Flook
- 6 HCS SB 820 - Schieffer
- 7 SCS SB 850 - Meiners
- 8 HCS SB 856 - Fallert
- 9 SB 896 - McGhee
- 10 SB 928 - Schad
- 11 SB 936 - Lembke
- 12 HCS SB 943 - Schoeller
- 13 SCS SB 951 - Spreng
- 14 SB 956 - Hobbs
- 15 HCS SB 978 - Pollock
- 16 SB 979 - Dusenberg
- 17 SB 980 - Flook
- 18 SB 991 - Schlottach
- 19 SB 999 - Parson
- 20 HCS SB 1002 - Curls
- 21 HCS SCS SB 1008 - Ervin
- 22 SCS SB 1009, E.C. - Wasson
- 23 SB 1016 - Pratt
- 24 HCS SCS SB 1033 - Sutherland
- 25 HCS SCS SB 1039 - Weter
- 26 SCS SB 1044 - McGhee
- 27 SB 1061 - Cooper (120)
- 28 SB 1073 - Faith
- 29 HCS SCS SB 1131 - Curls
- 30 HCS SB 1135 - Curls
- 31 SCS SB 1150 - Lembke
- 32 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 33 SCS SB 1168 - Scharnhorst
- 34 SB 1177 - Cooper (155)
- 35 SB 1187 - Pollock
- 36 SB 1190 - Wasson
- 37 SCS SB 1235 - Pratt

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 SS SCS SB 944, E.C. - Robb
- 4 SCS SB 967, E.C. - Kingery
- 5 HCS SB 1010 - Stevenson
- 6 SCS SB 806 - Meadows
- 7 HCS SCS SB 830 - Day
- 8 HCS SB 932, (Fiscal Review 4-17-08) - Cooper (120)
- 9 SB 955 - Wildberger

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- 10 HCS SB 958 - Schad
- 11 SB 970 - May
- 12 SB 1068 - Sater
- 13 HCS SB 1074 - Smith (14)
- 14 SCS SB 1105 - Faith
- 15 HCS SB 1175, (Fiscal Review 4-17-08) - Cox

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-SIXTH DAY, MONDAY, APRIL 21, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, we thank You that You have made provision for us in all things; You are merciful and the source of our peace and rest. You are our shield to protect, hide and overshadow us.

Lord God, as we begin our week, may our words nourish and guide many; not lacking for want of understanding and heart. It has been said that the speech of a good person is worth waiting for; the wise measure their words. May this be so of us all.

Direct us in Your love, guide us in Your truth, make known to us the proper way that we may do what is beneficial to all we represent.

Now may praise, glory, wisdom, thanksgiving, honor, power, and might be to You forever and ever.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Marilynn Riekhof.

The Journal of the fifty-fifth day was approved as printed by the following vote:

AYES: 116

Aull	Avery	Baker 123	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Ice
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Lipke	Loehner	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson

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Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schoeller	Schoemehl	Self
Shively	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Villa	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Zimmerman
Mr Speaker				

NOES: 007

Daus	George	Lowe 44	Nieves	Talboy
Whorton	Wildberger			

PRESENT: 000

ABSENT WITH LEAVE: 038

Baker 25	Bivins	Bland	Cooper 120	Cooper 155
Corcoran	Curls	Darrough	Donnelly	El-Amin
Frame	Harris 23	Haywood	Hubbard	Hughes
Hunter	Kraus	Liese	Low 39	Marsh
McClanahan	Meadows	Page	Pollock	Portwood
Schlottach	Schneider	Silvey	Skaggs	Spreng
Threlkeld	Viebrock	Vogt	Walton	Wright-Jones
Yates	Young	Zweifel		

VACANCIES: 002

### **SPECIAL RECOGNITION**

The Missouri State Water Patrol was introduced by Representative Dethrow and presented a resolution commending their efforts during the March 2008 flooding in the eastern portion of the state.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2017 through House Resolution No. 2070

### **SECOND READING OF SENATE BILLS**

**SCS SB 1081** and **SCS SB 1139** were read the second time.

### **THIRD READING OF HOUSE BILLS**

**HCS HB 2393**, relating to incentives for business development, was taken up by Representative Richard.

Representative Nieves assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Richard, **HCS HB 2393** was read the third time and passed by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Hobbs	Holsman
Hoskins	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Portwood
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Schoemehl	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Yaeger	Zimmerman	Mr Speaker

NOES: 016

Bringer	Daus	George	Harris 110	Hodges
Kuessner	Low 39	Oxford	Page	Quinn 9
Robinson	Schieffer	Shively	Swinger	Todd
Witte				

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Bland	Cooper 155	Corcoran	Donnelly
El-Amin	Harris 23	Haywood	Hubbard	Hughes
Kraus	Marsh	McClanahan	Pollock	Spreng
Viebrock	Wright-Jones	Yates	Young	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Nieves resumed the Chair.

**HCS HBs 1831 & 1472**, relating to abortions, was taken up by Representative Onder.



On motion of Representative Onder, **HCS HBs 1831 & 1472** was read the third time and passed by the following vote:

AYES: 113

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fallert
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kuessner
Lembke	Liese	Lipke	Loehner	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Smith 14	Smith 150	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 033

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	Donnelly	El-Amin	Fares
Frame	Holsman	Hoskins	Hubbard	Johnson
Komo	Lampe	LeVota	Low 39	Lowe 44
McClanahan	Nasheed	Norr	Oxford	Page
Robinson	Skaggs	Storch	Talboy	Vogt
Walton	Whorton	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 25	Corcoran	Dougherty	Harris 23	Haywood
Hughes	Kraus	Marsh	Roorda	Self
Spreng	Stevenson	Wright-Jones	Young	Zweifel

VACANCIES: 002

Representative Nieves declared the bill passed.

**HOUSE BILLS WITH SENATE AMENDMENTS**

**SCS HCS HB 2002**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2002** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2003**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2003** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HB 2004**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HB 2004** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2005**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2005** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2006**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2006** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2007**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2007** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2008**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2008** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2009**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2009** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative Roorda made a substitute motion that the House refuse to adopt **SCS HCS HB 2009** and request the Senate to recede from its position and, failing to do so, grant the House a conference and further authorize the conferees to exceed the differences with regard to backpay to State Probation and Parole officers recently adjudicated in the State Courts.

Which motion was defeated by the following vote:

AYES: 065

Aull	Bland	Bringer	Brown 50	Bruns
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Deeken	Donnelly	Dougherty	Dusenberg
El-Amin	Fallert	Frame	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Yaeger	Yates	Zimmerman

NOES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Denison	Dethrow	Dixon
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Thomson	Threlkeld	Tilley	Viebrock

Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker 25	Chappelle-Nadal	Harris 23	Hughes	Kraus
Lowe 44	Self	Spreng	Sutherland	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Representative Icet again moved that the House refuse to adopt **SCS HCS HB 2009** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2010**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2010** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2011**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2011** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2012**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2012** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**SCS HCS HB 2013**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2013** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

**THIRD READING OF HOUSE BILLS**

**HB 2191**, relating to the A+ Schools Program, was taken up by Representative Nasheed.

On motion of Representative Nasheed, **HB 2191** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 002

Chappelle-Nadal      Lampe

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Harris 23	Hughes	Kraus	Robinson
Self	Spreng	Sutherland	Wright-Jones	Young
Zweifel				

VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HB 1649**, relating to driver's licenses, was taken up by Representative Franz.

On motion of Representative Franz, **HCS HB 1649** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Sarnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 002

Bland Talboy

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 25	Chappelle-Nadal	Cooper 120	El-Amin	Flook
Harris 23	Hughes	Hunter	Kraus	Lowe 44
Robinson	Self	Spreng	Wright-Jones	Young
Zweifel				

VACANCIES: 002

Representative Nieves declared the bill passed.

Representative Bruns assumed the Chair.

**HCS HB 1474**, relating to conversion of manufactured homes, was taken up by Representative Cunningham (86).

On motion of Representative Cunningham (86), **HCS HB 1474** was read the third time and passed by the following vote:

AYES: 128

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Denison	Dethrow	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Holsman
Hoskins	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kratky
Kuessner	Lampe	Lembke	LeVota	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 016

Bringer	Burnett	Davis	Frame	George
Haywood	Hodges	Komo	Low 39	McClanahan
Meadows	Oxford	Skaggs	Talboy	Vogt
Whorton				

PRESENT: 001

Liese

ABSENT WITH LEAVE: 016

Baker 25	Chappelle-Nadal	Dixon	Donnelly	Franz
Harris 23	Hubbard	Hughes	Kraus	Lowe 44
Robinson	Self	Spreng	Wright-Jones	Young
Zweifel				

VACANCIES: 002

Representative Bruns declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HB 2552** - Special Committee on General Laws

### **COMMITTEE REPORTS**

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1493** and **HB 1594**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **HB 2508**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 2330**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **HB 1933**, **HB 1375**, **HB 1662**, **HB 1816**, **HB 1940**, **HB 1971**, **HB 2240**, **HB 2313**, **HB 2423** and **HB 2435**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HB 1736** and **HB 2320**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SCS SBs 1034 & 802**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2429**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2002** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2003** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HB 2004** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2005** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2006** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2007** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2008** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2009** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2010** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2011** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2012** and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2013** and grants the House a conference thereon.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, April 22, 2008.

### **CORRECTION TO THE HOUSE JOURNAL**

#### **AFFIDAVIT**

I, State Representative Sara Lampe, District 138, hereby state and affirm that my vote as recorded on the motion to third read and finally pass House Bill No. 2191 as recorded in the House Journal for April 21, 2008 showing that I voted no was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote at that time, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 21st day of April 2008.

/s/ Sara Lampe  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Moniteau )

Subscribed and sworn to before me this 21st day of April in the year 2008.

/s/ Terry Spieler  
Notary Public

## COMMITTEE MEETINGS

### CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 23, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

### CORRECTIONS AND PUBLIC INSTITUTIONS

Tuesday, April 22, 2008, Hearing Room 4 upon evening adjournment.

Executive session may follow.

Public hearing to be held on: SCS SB 1157

### CRIME PREVENTION AND PUBLIC SAFETY

Tuesday, April 22, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow. AMENDED.

Public hearings to be held on: HB 2257, SS SCS SBs 818 & 795, SS SCS SBs 714, 933, 899 & 758

### ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 23, 2008, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2136, HB 2121, HB 2481, HB 2482

### HEALTH CARE POLICY

Tuesday, April 22, 2008, Hearing Room 5 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 1829

### HIGHER EDUCATION

Tuesday, April 22, 2008, Hearing Room 1 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HB 1604, SCS SB 873, SS SCS SB 846

### JUDICIARY

Tuesday, April 22, 2008, Hearing Room 1 upon morning recess.

Executive session.

### LOCAL GOVERNMENT

Wednesday, April 23, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2026, HB 1603, HB 2000, HB 2245, HB 2544, SCS SB 765

**RULES - PURSUANT TO RULE 25(21)(f)**

Tuesday, April 22, 2008, Hearing Room 2 upon morning recess.

Executive session may follow. AMENDED.

Public hearings to be held on: HCS SCS SB 907, SB 885, HB 1954, HCS SB 1038

**SPECIAL COMMITTEE ON AGRI-BUSINESS**

Tuesday, April 22, 2008, 9:15 a.m. Hearing Room 4.

Executive session. AMENDED.

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 22, 2008, Hearing Room 3 upon morning recess.

Possible Executive session.

Public hearings to be held on: HB 1860, HB 1862, SCS SB 1261

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, April 22, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 2416, HJR 56, SCS SB 994

**SPECIAL COMMITTEE ON GOVERNMENT AFFAIRS**

Tuesday, April 22, 2008, 9:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 1916, SB 822

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 23, 2008, 8:30 a.m. Hearing Room 7.

Discussion on proposed House Committee Substitute for HB 2421.

Executive session may follow.

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Wednesday, April 23, 2008, 8:00 a.m. Hearing Room 5.

Executive session may follow. AMENDED.

Public hearings to be held on: HCR 20, HB 2555, SCR 40

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 23, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1748, SCS SBs 1225 & 1226, SB 762

**SPECIAL COMMITTEE ON TAX REFORM**

Tuesday, April 22, 2008, Hearing Room 4 12:00 p.m. or upon morning recess.

Executive session may follow.

Public hearings to be held on: SB 748, HB 2580

**SPECIAL COMMITTEE ON URBAN EDUCATION REFORM**

Tuesday, April 22, 2008, Hearing Room 7 upon morning recess.

Executive session may follow

Public hearings to be held on: HB 1848, HB 2404

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, April 23, 2008, 9:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2322, HB 2535

**SPECIAL COMMITTEE ON WORKFORCE DEVELOPMENT AND WORKPLACE SAFETY**

Tuesday, April 22, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session.

**TRANSPORTATION**

Tuesday, April 22, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: HB 2536

**HOUSE CALENDAR**

FIFTY-SEVENTH DAY, TUESDAY, APRIL 22, 2008

**HOUSE BILLS FOR PERFECTION - APPROPRIATIONS**

- 1 HCS HB 2016 - Icet
- 2 HCS HB 2023 - Icet

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HCS#2 HB 1423 - St. Onge
- 6 HCS HBs 2062 & 1518 - Pearce
- 7 HB 1957 - Hughes
- 8 HB 1756 - Walton
- 9 HB 2144 - Whorton
- 10 HB 1535 - Deeken
- 11 HB 1517 - Cox
- 12 HCS HB 2112 - Emery
- 13 HB 1372 - McGhee
- 14 HCS HB 1590 - Munzlinger
- 15 HCS HB 1504 - Walton
- 16 HCS HB 2156 - Grill
- 17 HCS HB 2159 - Grill

- 18 HB 1562 - LeVota
- 19 HCS HB 1383 - Cox
- 20 HCS HB 2239 - Stevenson
- 21 HCS HB 1438 - Kelly
- 22 HCS HB 1704 - Wallace
- 23 HB 1851 - Thomson
- 24 HCS HB 1990 - Wilson (130)
- 25 HCS HB 2059 - Wilson (130)
- 26 HCS HB 2110 - Dixon
- 27 HB 2202 - Deeken
- 28 HB 2590 - Moore
- 29 HCS HB 1516 - Bruns
- 30 HCS HB 1700 - Wasson
- 31 HCS HB 1723 - Franz
- 32 HCS HB 1745 - Robb
- 33 HB 1764 - Parson
- 34 HB 1871 - Deeken
- 35 HB 1934 - May
- 36 HCS HB 1974 - Schlottach
- 37 HCS HB 2034 - Munzlinger
- 38 HB 2078 - Hubbard
- 39 HCS HB 2114 - Zimmerman
- 40 HB 2207 - Hoskins
- 41 HB 2266 - Jones (89)
- 42 HCS HB 2279 - Wright
- 43 HB 2514 - Weter

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2250, E.C. - Sutherland
- 3 HCS HB 1626 - Emery
- 4 HCS HBs 1788 & 1882 - Day
- 5 HCS HB 1813 - Dougherty
- 6 HCS HB 2060 - Deeken

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 15, (4-10-08, Pages 888-889) - Kuessner
- 3 HCS HCRs 43 & 46, (4-09-08, Pages 860-861) - Funderburk

**SENATE BILLS FOR THIRD READING - CONSENT**

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

(4/16/08)

- 1 HCS SB 723 - Bruns
- 2 HCS SB 733 - Bruns
- 3 HCS SCS SB 760 - St. Onge
- 4 HCS SB 797 - May
- 5 SB 801 - Flook
- 6 HCS SB 820 - Schieffer
- 7 SCS SB 850 - Meiners
- 8 HCS SB 856 - Fallert
- 9 SB 896 - McGhee
- 10 SB 928 - Schad
- 11 SB 936 - Lembke
- 12 HCS SB 943 - Schoeller
- 13 SCS SB 951 - Spreng
- 14 SB 956 - Hobbs
- 15 HCS SB 978 - Pollock
- 16 SB 979 - Dusenberg
- 17 SB 980 - Flook
- 18 SB 991 - Schlottach
- 19 SB 999 - Parson
- 20 HCS SB 1002 - Curls
- 21 HCS SCS SB 1008 - Ervin
- 22 SCS SB 1009, E.C. - Wasson
- 23 SB 1016 - Pratt
- 24 HCS SCS SB 1033 - Sutherland
- 25 HCS SCS SB 1039 - Weter
- 26 SCS SB 1044 - McGhee
- 27 SB 1061 - Cooper (120)
- 28 SB 1073 - Faith
- 29 HCS SCS SB 1131 - Curls
- 30 HCS SB 1135 - Curls
- 31 SCS SB 1150 - Lembke
- 32 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 33 SCS SB 1168 - Scharnhorst
- 34 SB 1177 - Cooper (155)
- 35 SB 1187 - Pollock

- 36 SB 1190 - Wasson
- 37 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 SS SCS SB 944, E.C. - Robb
- 4 SCS SB 967, E.C. - Kingery
- 5 HCS SB 1010 - Stevenson
- 6 SCS SB 806 - Meadows
- 7 HCS SCS SB 830 - Day
- 8 HCS SB 932, (Fiscal Review 4-17-08) - Cooper (120)
- 9 SB 955 - Wildberger
- 10 HCS SB 958 - Schad
- 11 SB 970 - May
- 12 SB 1068 - Sater
- 13 HCS SB 1074 - Smith (14)
- 14 SCS SB 1105 - Faith
- 15 HCS SB 1175, (Fiscal Review 4-17-08) - Cox

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-SEVENTH DAY, TUESDAY, APRIL 22, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Let us pray, with a line from the Book of Genesis.

"In the beginning, God created the heavens and the earth. . ." (*Genesis 1:1*).

Almighty God, Creator of all that exists, we stand humbly before You as Creator and Lord of "the earth and its fullness, the world and those who dwell in it," (*Psalms 24:1*). We stand in reverence as You call us to live in harmony with the earth, its land, water and air.

Guide us by Your gifts of knowledge and right judgment; empower us with Your grace; help us as public servants to advance the protection of the land, water and air for the use of all the people and for future generations.

Accompany us in all our work of this day. Then, in serving people to the best of our ability, we shall indeed, serve You.

To You, Creator and Lord, be glory and honor forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Eleanor Abbott Stream, Jane Louise Stream, Maryn Burns, Bjorn Carlson, Connor Locke and Caleb Seymour.

The Journal of the fifty-sixth day was approved as printed.

## PERFECTION OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 2016**, relating to appropriations, was taken up by Representative Icet.

Representative Pearce assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Icet, **HCS HB 2016** was adopted.

On motion of Representative Icet, **HCS HB 2016** was ordered perfected and printed.

**HCS HB 2023**, relating to appropriations, was taken up by Representative Icet.

Representative Icet offered **House Amendment No. 1.**

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2023, Page 4, Section 23.042, by deleting the section in its entirety; and

Further amend said bill, Page 2, Section 23.008, Line 4, by inserting the following new section immediately thereafter:

“Section 23.009. To Southeast Missouri State University  
 For debt service payments for the Sikeston facilities . . . . . \$400,000  
 For renovation and improvements at Perryville facilities . . . . . 420,000  
 From Lottery Proceeds Fund . . . . . \$820,000”; and

Further amend said bill by amending the title and bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 1** was adopted.

Representative Icet offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2023, Page 3, Section 23.027, by deleting the section in its entirety; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Icet, **House Amendment No. 2** was adopted by the following vote:

AYES: 127

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Icet	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lembke
Lipke	Loehner	Marsh	May	McClanahan

Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schneider	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Zimmerman
Zweifel	Mr Speaker			

NOES: 013

Curls	Daus	Dethrow	Jones 117	LeVota
Liese	Low 39	Oxford	Pratt	Schad
Villa	Whorton	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 021

Burnett	Corcoran	El-Amin	Harris 23	Haywood
Hughes	Hunter	Johnson	Jones 89	Kraus
Lampe	Lowe 44	McGhee	Meadows	Page
Roorda	Schoeller	Schoemehl	Spreng	Vogt
Young				

VACANCIES: 002

**Representative Schlottach offered House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2023, Section 23.025, Page 3, Line 5, by deleting the number, "1,866,000" and inserting in lieu thereof the number "3,066,000"; and

Further amend said section and page, Line 6, by deleting the number, "50,000" and inserting in lieu thereof the number, "550,000"; and

Further amend said section and page, Line 7, by deleting the number, "650,000" and inserting in lieu thereof the number, "1,150,000"; and

Further amend said section and page, Line 10, by deleting the number, "78,442" and inserting in lieu thereof the number, "528,442"; and

Further amend said section and page, Line 11, by deleting the number, "\$4,000,000" and inserting in lieu thereof the number, "\$6,650,000"; and

Further amend said bill by amending section and bill totals accordingly.

On motion of Representative Schlottach, **House Amendment No. 3** was adopted.

Representative Nieves assumed the Chair.

Representative Dethrow offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2023; Page 8, Section 23.100, Line 3, by deleting “For planning, design, and construction” and inserting “For planning and design”.

On motion of Representative Dethrow, **House Amendment No. 4** was adopted.

Representative Stream offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 2023, Page 2, Section 23.010, Line 5, by inserting the following new section immediately thereafter:

“Section 23.012. To the University of Missouri  
For the planning and design of a new Nursing and Optometry School on the St. Louis campus  
From General Revenue Fund . . . . . \$300,000”; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Stream, **House Amendment No. 5** was adopted.

Representative Dougherty offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 2023, Page 5, Section 23.063, Line 5, by inserting the following new section immediately thereafter:

“Section 23.064. To the Department of Natural Resources  
For the Division of State Parks  
For renovation and preservation of the Jackson County Courthouse  
From General Revenue Fund . . . . . \$500,000”; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Dougherty, **House Amendment No. 6** was adopted.

Representative Curls offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 2023, Page 3, Section 23.030, Line 4, by inserting the following new section immediately thereafter:

“Section 23.032. To the Office of Administration  
For the Division of Facilities Management, Design and Construction  
For planning, design, and construction of a special needs sports complex in Kansas City  
From General Revenue Fund . . . . . \$25,000”; and

Further amend said bill by amending the bill totals accordingly.

On motion of Representative Curls, **House Amendment No. 7** was adopted.

On motion of Representative Icet, **HCS HB 2023, as amended**, was adopted.

On motion of Representative Icet, **HCS HB 2023, as amended**, was ordered perfected and printed.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

**AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katelyn Johar, Reagan Eastabrooks, Riley Husereaux and Josiah Bennett.

**SPECIAL RECOGNITION**

The College of the Ozarks Women’s Basketball Team was introduced by Representative Wallace and recognized for attaining Second Place in the NAIA Division II National Tournament.

**HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2071 through House Resolution No. 2134

**SUPPLEMENTAL CALENDAR**

APRIL 22, 2008

**HOUSE BILLS FOR PERFECTION**

HCS HB 2260 - Storch

Speaker Jetton assumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS HCS HB 2002:** Representatives Icet, Robb, Stream, Bringer and Lampe  
**SCS HCS HB 2003:** Representatives Icet, Robb, Stream, Bringer and Lampe  
**SCS HB 2004:** Representatives Icet, Robb, Stream, Storch and Komo  
**SCS HCS HB 2005:** Representatives Icet, Robb, Stream, Storch and Komo  
**SCS HCS HB 2006:** Representatives Icet, Robb, Stream, Harris (110) and Shively  
**SCS HCS HB 2007:** Representatives Icet, Robb, Stream, Storch and Komo  
**SCS HCS HB 2008:** Representatives Icet, Robb, Stream, Wildberger and Nasheed  
**SCS HCS HB 2009:** Representatives Icet, Robb, Stream, Wildberger and Nasheed  
**SCS HCS HB 2010:** Representatives Icet, Robb, Stream, Curls and McClanahan  
**SCS HCS HB 2011:** Representatives Icet, Robb, Stream, Curls and McClanahan  
**SCS HCS HB 2012:** Representatives Icet, Robb, Stream, Storch and Curls  
**SCS HCS HB 2013:** Representatives Icet, Robb, Stream, Storch and Curls

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2002:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2003:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HB 2004:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2005:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2006:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2007:** Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2008**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2009**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2010**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2011**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2012**: Senators Nodler, Mayer, Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **SCS HCS HB 2013**: Senators Nodler, Mayer, Rupp, Bray and Green.

Speaker Pro Tem Pratt resumed the Chair.

### **PERFECTION OF HOUSE BILLS**

**HCS HB 1700**, relating to professional registration, was taken up by Representative Wasson.

Representative Wasson offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1700, Page 26, Section 700.525, Line 22, by inserting immediately after said line the following:

**"Section 1. Notwithstanding any law to the contrary, a compelling governmental interest shall be deemed to exist for the purposes of section 536.025, RSMo, for licensure fees to be reduced by emergency rule, if the projected fund balance of any agency assigned to the division of professional registration is reasonably expected to exceed an amount that would require transfer from that fund to general revenue.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wasson, **House Amendment No. 1** was adopted by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hughes	Ice	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 028

Avery	Bivins	Bland	Brown 50	Burnett
Chappelle-Nadal	Cooper 120	El-Amin	Fares	Harris 23
Haywood	Hoskins	Hubbard	Hunter	Johnson
Jones 89	Jones 117	Kraus	Low 39	Lowe 44
Marsh	Portwood	Robinson	Spreng	Stevenson
Viebrock	Young	Zweifel		

VACANCIES: 002



Representative Wasson offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1700, Page 15, Section 326.292, Line 147, by inserting after all of said line the following:

"334.500. As used in sections 334.500 to 334.685, the following terms mean:

- (1) "Board", the state board of registration for the healing arts in the state of Missouri;
- (2) "Physical therapist assistant", a person who is licensed as a physical therapist assistant by the board or a person who was actively engaged in practice as a physical therapist assistant on August 28, 1993;
- (3) "Physical therapist", a person who is licensed to practice physical therapy;
- (4) "**Practice of physical therapy**", the examination, treatment and instruction of human beings to assess, prevent, correct, alleviate and limit physical disability, movement dysfunction, bodily malfunction and pain from injury, disease and any other bodily condition, such term includes, but is not limited to, the administration, interpretation and evaluation of physical therapy tests and measurements of bodily functions and structures; the planning, administration, evaluation and modification of treatment and instruction, including the use of physical measures, activities and devices, for preventive and therapeutic purposes; and the provision of consultative, educational, research and other advisory services for the purpose of reducing the incidence and severity of physical disability, movement dysfunction, bodily malfunction and pain does not include the use of surgery or obstetrics or the administration of x-radiation, radioactive substance, diagnostic x-ray, diagnostic laboratory electrocautery, electrosurgery or invasive tests or the prescribing of any drug or medicine or the administration or dispensing of any drug or medicine other than a topical agent administered or dispensed upon the direction of a physician. Physical therapists may perform electromyography and nerve conduction tests but may not interpret the results of the electromyography or nerve conduction test. Physical therapists shall practice physical therapy within the scope of their education and training as provided in sections 334.500 to 334.620.

334.506. 1. [Nothing in this chapter shall prevent a physical therapist, whose license is in good standing, from providing educational resources and training, developing fitness or wellness programs for asymptomatic persons, or providing screening or consultative services within the scope of physical therapy practice without the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, except that no physical therapist shall initiate treatment for a new injury or illness without the prescription or direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing.

2. Nothing in this chapter shall prevent a physical therapist, whose license is in good standing, from examining and treating, without the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any person with a recurring, self-limited injury within one year of diagnosis by a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, or any person with a chronic illness that has been previously diagnosed by a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, except that a physical therapist shall contact the patient's current physician, chiropractor, dentist, or podiatrist, within seven days of initiating physical therapy services, pursuant to this subsection, shall not change an existing physical therapy referral available to the physical therapist without approval of the patient's current physician, chiropractor, dentist, or podiatrist, and shall refer to a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor

pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any patient whose medical condition should, at the time of examination or treatment, be determined to be beyond the scope of practice of physical therapy. A physical therapist shall refer to a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or as a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any person whose condition, for which physical therapy services are rendered pursuant to this subsection, has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever shall come first. If the person's condition for which physical therapy services are rendered under this subsection shall be documented to be progressing toward documented treatment goals, a physical therapist may continue treatment without referral from a physician, chiropractor, dentist or podiatrist, whose license is in good standing. If treatment rendered under this subsection is to continue beyond thirty days, a physical therapist shall notify the patient's current physician, chiropractor, dentist, or podiatrist before continuing treatment beyond the thirty-day limitation. A physical therapist shall also perform such notification before continuing treatment rendered under this subsection for each successive period of thirty days.] **As used in this section, "approved health care provider" means a person holding a current and active license as a physician and surgeon under this chapter, a chiropractor under chapter 331, RSMo, a dentist under chapter 332, RSMo, a podiatrist under chapter 330, RSMo, a physician assistant under this chapter, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction whose license is in good standing.**

**2. A physical therapist shall not initiate treatment for a new injury or illness without a prescription from an approved health care provider.**

**3. A physical therapist may provide educational resources and training, develop fitness or wellness programs for asymptomatic persons, or provide screening or consultative services within the scope of physical therapy practice without the prescription and direction of an approved health care provider.**

**4. A physical therapist may examine and treat without the prescription and direction of an approved health care provider any person with a recurring self-limited injury within one year of diagnosis by an approved health care provider or a chronic illness that has been previously diagnosed by an approved health care provider. The physical therapist shall:**

**(1) Contact the patient's current approved health care provider within seven days of initiating physical therapy services under this subsection;**

**(2) Not change an existing physical therapy referral available to the physical therapist without approval of the patient's current approved health care provider;**

**(3) Refer to an approved health care provider any patient whose medical condition at the time of examination or treatment is determined to be beyond the scope of practice of physical therapy;**

**(4) Refer to an approved health care provider any patient whose condition for which physical therapy services are rendered under this subsection has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever first occurs;**

**(5) Notify the patient's current approved health care provider prior to the continuation of treatment if treatment rendered under this subsection is to continue beyond thirty days. The physical therapist shall provide such notification for each successive period of thirty days.**

**[3.] 5.** The provision of physical therapy services of evaluation and screening pursuant to this section shall be limited to a physical therapist, and any authority for evaluation and screening granted within this section may not be delegated. Upon each reinitiation of physical therapy services, a physical therapist shall provide a full physical therapy evaluation prior to the reinitiation of physical therapy treatment. Physical therapy treatment provided pursuant to the provisions of subsection [2] 4 of this section, may be delegated by physical therapists to physical therapist assistants only if the patient's current [physician, chiropractor, dentist, or podiatrist] **approved health care provider** has been so informed as part of the physical therapist's seven-day notification upon reinitiation of physical therapy services as required in subsection [2] 4 of this section. Nothing in this subsection shall be construed as to limit the ability of physical therapists or physical therapist assistants to provide physical therapy services in accordance with the provisions of this chapter, and upon the referral of [a physician and surgeon licensed pursuant to this chapter, a chiropractor pursuant to chapter 331, RSMo, a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing] **an approved health care provider**. Nothing in this subsection shall prohibit [a person licensed or registered

as a physician or surgeon licensed pursuant to this chapter, a chiropractor pursuant to chapter 331, RSMo, a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing,] **an approved health care provider** from acting within the scope of their practice as defined by the applicable chapters of RSMo.

[4.] **6.** No person licensed to practice, or applicant for licensure, as a physical therapist or physical therapist assistant shall make a medical diagnosis.

**7. A physical therapist shall only delegate physical therapy treatment to a physical therapist assistant or to a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education (CAPTE) who satisfy supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education. The entry level person shall be under onsite supervision of a physical therapist.**

**334.525. 1. Notwithstanding any other provision of law to the contrary, any person licensed as a physical therapist or physical therapist assistant under this chapter may apply to the state board of registration for the healing arts for an inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the licensee meets the requirements established by the board by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive or who has discontinued his or her practice because of retirement shall not practice his or her profession within this state. Such person may continue to use the title of his or her profession or the initials of his or her profession after such person's name.**

**2. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of his or her intention, paying the appropriate fees, and meeting all established requirements of the board as a condition of reinstatement.**

334.530. 1. A candidate for license to practice as a physical therapist shall be at least twenty-one years of age. A candidate shall furnish evidence of such person's good moral character and the person's educational qualifications by submitting satisfactory evidence of completion of a program of physical therapy education approved as reputable by the board. A candidate who presents satisfactory evidence of the person's graduation from a school of physical therapy approved as reputable by the American Medical Association or, if graduated before 1936, by the American Physical Therapy Association, or if graduated after 1988, the Commission on Accreditation for Physical Therapy Education or its successor, is deemed to have complied with the educational qualifications of this subsection.

2. Persons desiring to practice as physical therapists in this state shall appear before the board at such time and place as the board may direct and be examined as to their fitness to engage in such practice. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in subsection 1 of this section. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the [person signing the statement] **applicant**, subject to the penalties of making a false affidavit or declaration.

3. [The board shall not issue a permanent license to practice as a physical therapist or allow any person to sit for the Missouri state board examination for physical therapists who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

4. The board may waive the provisions of subsection 3 if the applicant has met one of the following provisions:

(1) The applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada;

(2) The applicant has failed the licensure examination three times or more and then obtains a professional degree in physical therapy at a level higher than previously completed, the applicant can sit for the licensure examination three additional times.

5.] The examination of qualified candidates for licenses to practice physical therapy shall [include a written examination and shall embrace the subjects taught in reputable programs of physical therapy education, sufficiently strict to test the qualifications of the candidates as practitioners] **test entry-level competence as related to physical therapy**

**theory, examination and evaluation, physical therapy diagnosis, prognosis, treatment, intervention, prevention, and consultation.**

[6.] 4. The examination shall embrace, in relation to the human being, the subjects of anatomy, chemistry, kinesiology, pathology, physics, physiology, psychology, physical therapy theory and procedures as related to medicine, surgery and psychiatry, and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice physical therapy.

**5. The applicant shall pass a test administered by the board on the laws and rules related to the practice of physical therapy in Missouri.**

334.540. 1. The board shall issue a license to any physical therapist who [is licensed] **possesses an active license** in another jurisdiction and who has had no violations, suspensions or revocations of a license to practice physical therapy in any jurisdiction, provided that, such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, the requirements for licensure of physical therapists in Missouri at the time the applicant applies for licensure.

2. Every applicant for a license pursuant to this section, upon making application and showing the necessary qualifications as provided in subsection 1 of this section, shall be required to pay the same fee as the fee required to be paid by applicants who apply to take the examination before the board. Within the limits provided in this section, the board may negotiate reciprocal compacts with licensing boards of other states for the admission of licensed practitioners from Missouri in other states.

3. [Notwithstanding the provisions of subsections 1 and 2 of this section, the board shall not issue a license to any applicant who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

4. The board may waive the provisions of subsection 3 if the applicant has met one of the following provisions:

(1) The applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada;

(2) The applicant has failed the licensure examination three times or more and then obtains a professional degree in physical therapy at a level higher than previously completed, the applicant can sit for the licensure examination three additional times] **The applicant shall pass a test administered by the board on the laws and rules related to practice of physical therapy in Missouri.**

334.550. 1. An applicant who has not been previously examined in **this state or** another jurisdiction and meets the qualifications of subsection 1 of section 334.530, **or an applicant applying for reinstatement of an inactive license under a supervised active practice**, may pay a temporary license fee and submit an agreement-to-supervise form, which is signed by the applicant's supervising physical therapist, to the board and obtain without examination a nonrenewable temporary license. Such temporary licensee may only engage in the practice of physical therapy under the supervision of a licensed physical therapist. **The supervising physical therapist shall hold an unencumbered license to practice physical therapy in this state and shall provide the board proof of active clinical practice in this state for a minimum of one year prior to supervising a temporary licensee. The supervising physical therapist shall not be an immediate family member of the applicant.** The board shall define **immediate family member** and the scope of such supervision by rules and regulations. **The supervising physical therapist for the first-time examinee applicant shall submit to the board a signed notarized form prescribed by the board attesting that the applicant for temporary license shall begin employment at a location in this state within seven days of issuance of the temporary license. The supervising physical therapist shall notify the board within three days if the temporary licensee's employment ceases. A licensed physical therapist shall not supervise more than one temporary licensee.**

2. The temporary license **for the first-time examinee applicant** shall expire on [either] the date the applicant receives the results of the applicant's initial examination, **the date the applicant withdraws from sitting for the examination, the date the board is notified by the supervising physical therapist that the temporary licensee's employment has ceased,** or within ninety days of its issuance, whichever occurs first.

3. **The temporary license for the reinstatement applicant under the supervised active practice shall expire effective one year from the date of issuance.**

334.560. The board shall charge each person who applies for examination for a license to practice as a physical therapist an examination fee. Should the examination prove unsatisfactory and the board refuse to issue a license thereon, the applicant failing to pass the examination may reapply [and return to any meeting] and be examined upon payment of a reexamination fee[; but no temporary license may be issued to such persons].

334.570. 1. Every person licensed under sections 334.500 to 334.620 shall, on or before the registration renewal date, apply to the board for a certificate of registration for the ensuing licensing period. The application shall be made **under oath** on a form furnished to the applicant [and shall state] **by the board. The application shall include, but not be limited to, disclosure of the following:**

(1) The applicant's full name [and the address at which the person practices and the address at which the person resides and the date and number of such person's license];

(2) **The applicant's office address or addresses and telephone number or numbers;**

(3) **The applicant's home address and telephone number;**

(4) **The date and number of the applicant's license;**

(5) **All final disciplinary actions taken against the applicant by any professional association or society, licensed hospital or medical staff of a hospital, physical therapy facility, state, territory, federal agency or county; and**

(6) **Information concerning the applicant's current physical and mental fitness to practice his or her profession.**

**The applicant may be required to successfully complete a test administered by the board on the laws and rules related to the practice of physical therapy. The test process, dates, and passing scores shall be established by the board by rule.**

2. A [blank form] **notice** for application for registration shall be [mailed] **made available** to each person licensed in this state [at the person's last known address of practice or residence]. The failure to [mail the form of application or the failure to receive it] **receive the notice** does not, however, relieve any person of the duty to register and pay the fee required by sections 334.500 to 334.620 nor exempt such person from the penalties provided by sections 334.500 to 334.620 for failure to register.

**3. If a physical therapist does not renew such license for two consecutive renewal periods, such license shall be deemed void.**

**4. Each applicant for registration shall accompany the application for registration with a registration fee to be paid to the director of revenue for the licensing period for which registration is sought.**

**5. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; except that, whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule, the delinquent fee may be waived by the board.**

**6. Upon application and submission by such person of evidence satisfactory to the board that such person is licensed to practice in this state and upon the payment of fees required to be paid by this chapter, the board shall issue to such person a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his or her office address, the expiration date, and the number of the license to practice.**

**7. Upon receiving such certificate, every person shall cause the certificate to be readily available or conspicuously displayed at all times in every practice location maintained by such person in the state. If the licensee maintains more than one practice location in this state, the board shall, without additional fee, issue to such licensee duplicate certificates of registration for each practice location so maintained. If any licensee changes practice locations during the period for which any certificate of registration has been issued, the licensee shall, within fifteen days thereafter, notify the board of such change and the board shall issue to the licensee, without additional fee, a new registration certificate showing the new location.**

**8. Whenever any new license is granted to any physical therapist or physical therapist assistant under the provisions of this chapter, the board shall, upon application therefore, issue to such physical therapist or physical therapist assistant a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.**

**334.601.** The board shall set the amount of the fees which this chapter authorizes and requires by rule. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

**334.602. 1.** Physical therapists and physical therapist assistants shall provide documentation in order that an adequate and complete patient record can be maintained. All patient records shall be legible and available for review and shall include at a minimum documentation of the following information:

- (1) Identification of the patient, including name, birthdate, address, and telephone number;
- (2) The date or dates the patient was seen;
- (3) The current status of the patient, including the reason for the visit;
- (4) Observation of pertinent physical findings;
- (5) Assessment and clinical impression of physical therapy diagnosis;
- (6) Plan of care and treatment;
- (7) Documentation of progress toward goals;
- (8) Informed consent;
- (9) Discharge summary.

**2.** Patient records remaining under the care, custody, and control of the licensee shall be maintained by the licensee of the board, or the licensee's designee, for a minimum of seven years from the date of when the last professional service was provided.

**3.** Any correction, addition, or change in any patient record shall be clearly marked and identified as such, and the date, time, and name of the person making the correction, addition, or change shall be included, as well as the reason for the correction, addition, or change.

**4.** The board shall not obtain a patient medical record without written authorization from the patient to obtain the medical record or the issuance of a subpoena for the patient medical record.

**334.610.** Any person who holds himself or herself out to be a physical therapist or a licensed physical therapist within this state or any person who advertises as a physical therapist or claims that the person can render physical therapy services and who, in fact, does not hold a valid physical therapist license is guilty of a class B misdemeanor and, upon conviction, shall be punished as provided by law. Any person who, in any manner, represents himself or herself as a physical therapist, or who uses in connection with such person's name the words or letters "physical therapist", "physiotherapist", "registered physical therapist", "**doctor of physical therapy**", "P.T.", "Ph.T.", "P.T.T.", "R.P.T.", "**D.P.T.**", "**M.P.T.**", or any other letters, words, abbreviations or insignia, indicating or implying that the person is a physical therapist without a valid existing license as a physical therapist issued to such person pursuant to the provisions of sections 334.500 to 334.620, is guilty of a class B misdemeanor. Nothing in sections 334.500 to 334.620 shall prohibit any person licensed in this state under chapter 331, RSMo, from carrying out the practice for which the person is duly licensed, or from advertising the use of physiologic and rehabilitative modalities; nor shall it prohibit any person licensed or registered in this state under section 334.735 or any other law from carrying out the practice for which the person is duly licensed or registered; nor shall it prevent professional and semiprofessional teams, schools, YMCA clubs, athletic clubs and similar organizations from furnishing treatment to their players and members. This section, also, shall not be construed so as to prohibit masseurs and masseuses from engaging in their practice not otherwise prohibited by law and provided they do not represent themselves as physical therapists. This section shall not apply to physicians and surgeons licensed under this chapter or to a person in an entry level of a professional education program approved by the commission for accreditation of physical therapists and physical therapist assistant education (CAPTE) who is satisfying supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education while under on-site supervision of a physical therapist; or to a physical therapist who is practicing in the United States Armed Services, United States Public Health Service, or Veterans Administration under federal regulations for state licensure for health care providers.

**334.611.** Notwithstanding any other provision of law to the contrary, any qualified physical therapist who is legally authorized to practice under the laws of another state may practice as a physical therapist in this state without examination by the board or payment of any fee if such practice consists solely of the provision of gratuitous services provided for a summer camp or teaching or participating in a continuing educational seminar for a period not to exceed fourteen days in any one calendar year. Nothing in sections 334.500 to 334.625 shall be construed to prohibit isolated or occasional gratuitous service to and treatment of the afflicted or to prohibit

physical therapists from other nations, states, or territories from performing their duties for their respective teams or organizations during the course of their teams' or organizations' stay in this state.

**334.612. 1.** If the board finds merit to a complaint by an individual incarcerated or under the care and control of the department of corrections and takes further investigative action, no documentation shall appear on file or disciplinary action shall be taken in regards to the licensee's license unless the provisions of subsection 2 of section 334.613 have been violated. Any case file documentation that does not result in the board filing an action under subsection 2 of section 334.613 shall be destroyed within three months after the final case disposition by the board. No notification to any other licensing board in another state or any national registry regarding any investigative action shall be made unless the provisions of subsection 2 of section 334.613 have been violated.

**2.** Upon written request of the physical therapist or physical therapist assistant subject to a complaint prior to August 28, 1999, by an individual incarcerated or under the care and control of the department of corrections that did not result in the board filing an action described in subsection 2 of section 334.613, the board and the division of professional registration shall in a timely fashion:

- (1)** Destroy all documentation regarding the complaint;
- (2)** If previously notified of the complaint, notify any other licensing board in another state or any national registry regarding the board's actions; and
- (3)** Send a letter to the licensee that clearly states that the board found the complaint to be unsubstantiated, that the board has taken the requested action, and notify the licensee of the provisions of subsection 3 of this section.

**3.** Any person who has been the subject of an unsubstantiated complaint as provided in subsection 1 or 2 of this section shall not be required to disclose the existence of such complaint in subsequent applications or representations relating to their practice.

**334.613. 1.** The board may refuse to issue or renew a license to practice as a physical therapist or physical therapist assistant for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo. As an alternative to a refusal to issue or renew a license to practice as a physical therapist or physical therapist assistant, the board may, at its discretion, issue a license which is subject to probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

**2.** The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of a license to practice as a physical therapist or physical therapist assistant who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

- (1)** Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of a physical therapist or physical therapist assistant;
- (2)** The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of a physical therapist or physical therapist assistant, for any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;
- (3)** Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit, or license issued under this chapter or in obtaining permission to take any examination given or required under this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct, or unprofessional conduct in the performance of the functions or duties of a physical therapist or physical therapist assistant, including but not limited to the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for sessions of physical therapy which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion, or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment or services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine, or device;

(f) Performing services which have been declared by board rule to be of no physical therapy value;

(g) Final disciplinary action by any professional association, professional society, licensed hospital or medical staff of the hospital, or physical therapy facility in this or any other state or territory, whether agreed to voluntarily or not, and including but not limited to any removal, suspension, limitation, or restriction of the person's professional employment, malpractice, or any other violation of any provision of this chapter;

(h) Administering treatment without sufficient examination, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional physical therapy practice;

(i) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual, while a physical therapist or physical therapist assistant/patient relationship exists; making sexual advances, requesting sexual favors, or engaging in other verbal conduct or physical contact of a sexual nature with patients or clients;

(j) Terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

(k) Failing to furnish details of a patient's physical therapy records to treating physicians, other physical therapists, or hospitals upon proper request; or failing to comply with any other law relating to physical therapy records;

(l) Failure of any applicant or licensee, other than the licensee subject to the investigation, to cooperate with the board during any investigation;

(m) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(n) Failure to timely pay license renewal fees specified in this chapter;

(o) Violating a probation agreement with this board or any other licensing agency;

(p) Failing to inform the board of the physical therapist's or physical therapist assistant's current telephone number, residence, and business address;

(q) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physical therapist or physical therapist assistant. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation, or association which issues or conducts such advertising;

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence, or repeated negligence in the performance of the functions or duties of a physical therapist or physical therapist assistant. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule adopted under this chapter;

(7) Impersonation of any person licensed as a physical therapist or physical therapist assistant or allowing any person to use his or her license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation, or other final disciplinary action against a physical therapist or physical therapist assistant for a license or other



right to practice as a physical therapist or physical therapist assistant by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including but not limited to the denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of physical therapy while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice who is not licensed and currently eligible to practice under this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice physical therapy who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a license to practice as a physical therapist or physical therapist assistant based upon a material mistake of fact;

(12) Failure to display a valid license pursuant to practice as a physical therapist or physical therapist assistant;

(13) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any document executed in connection with the practice of physical therapy;

(14) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of physical therapy services for all patients, or the qualifications of an individual person or persons to render, or perform physical therapy services;

(15) Using, or permitting the use of, the person's name under the designation of "physical therapist", "physiotherapist", "registered physical therapist", "P.T.", "Ph.T.", "P.T.T.", "D.P.T.", "M.P.T." or "R.P.T.", "physical therapist assistant", "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(16) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment under chapter 208, RSMo, or chapter 630, RSMo, or for payment from Title XVIII or Title XIX of the federal Medicare program;

(17) Failure or refusal to properly guard against contagious, infectious, or communicable diseases or the spread thereof; maintaining an unsanitary facility or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in any physical therapy facility to the board, in writing, within thirty days after the discovery thereof;

(18) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon under this chapter, as a physician assistant under this chapter, as a chiropractor under chapter 331, RSMo, as a dentist under chapter 332, RSMo, as a podiatrist under chapter 330, RSMo, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing;

(19) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.685;

(20) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a physician who is authorized by law to do so;

(21) Failing to maintain adequate patient records under 334.602;

(22) Attempting to engage in conduct that subverts or undermines the integrity of the licensing examination or the licensing examination process, including but not limited to utilizing in any manner recalled or memorized licensing examination questions from or with any person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with any other examinees during the test, or copying or sharing licensing examination questions or portions of questions;

(23) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant who requests, receives, participates or engages directly or indirectly in the division, transferring, assigning, rebating or refunding of fees received for professional services or profits by means of a

credit or other valuable consideration such as wages, an unearned commission, discount or gratuity with any person who referred a patient, or with any relative or business associate of the referring person;

(24) Being unable to practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients by reasons of incompetency, or because of illness, drunkenness, excessive use of drugs, narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physical therapist or physical therapist assistant to submit to a reexamination for the purpose of establishing his or her competency to practice as a physical therapist or physical therapist assistant conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physical therapist's or physical therapist assistant's professional conduct, or to submit to a mental or physical examination or combination thereof by a facility or professional approved by the board;

(b) For the purpose of this subdivision, every physical therapist and physical therapist assistant licensed under this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physical therapist, physical therapist assistant or applicant without the physical therapist's, physical therapist assistant's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physical therapist or physical therapist assistant, by registered mail, addressed to the physical therapist or physical therapist assistant at the physical therapist's or physical therapist assistant's last known address. Failure of a physical therapist or physical therapist assistant to submit to the examination when directed shall constitute an admission of the allegations against the physical therapist or physical therapist assistant, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physical therapist's or physical therapist assistant's control. A physical therapist or physical therapist assistant whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physical therapist or physical therapist assistant can resume the competent practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients;

(e) In any proceeding under this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physical therapist or physical therapist assistant in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 3 of this section.

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

(1) Warn, censure or place the physical therapist or physical therapist assistant named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years;

(2) Suspend the physical therapist's or physical therapist assistant's license for a period not to exceed three years;

(3) Restrict or limit the physical therapist's or physical therapist assistant's license for an indefinite period of time;

(4) Revoke the physical therapist's or physical therapist assistant's license;

(5) Administer a public or private reprimand;

(6) Deny the physical therapist's or physical therapist assistant's application for a license;

(7) Permanently withhold issuance of a license;

(8) Require the physical therapist or physical therapist assistant to submit to the care, counseling or treatment of physicians designated by the board at the expense of the physical therapist or physical therapist assistant to be examined;

(9) Require the physical therapist or physical therapist assistant to attend such continuing educational courses and pass such examinations as the board may direct.

4. In any order of revocation, the board may provide that the physical therapist or physical therapist assistant shall not apply for reinstatement of the physical therapist's or physical therapist assistant's license for a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

5. Before restoring to good standing a license issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

6. In any investigation, hearing or other proceeding to determine a physical therapist's, physical therapist assistant's or applicant's fitness to practice, any record relating to any patient of the physical therapist, physical therapist assistant, or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such physical therapist, physical therapist assistant, applicant, record custodian, or patient might otherwise invoke. In addition, no such physical therapist, physical therapist assistant, applicant, or record custodian may withhold records or testimony bearing upon a physical therapist's, physical therapist assistant's, or applicant's fitness to practice on the ground of privilege between such physical therapist, physical therapist assistant, applicant, or record custodian and a patient.

334.614. 1. Notwithstanding any other provisions of section 620.010, RSMo, to the contrary, the board shall at least quarterly publish a list of the names and addresses of all physical therapists and physical therapist assistants who hold licenses under the provisions of this chapter, and shall publish a list of all physical therapists and physical therapist assistants whose licenses have been suspended, revoked, surrendered, restricted, denied, or withheld.

2. Notwithstanding any other provisions of section 620.010, RSMo, to the contrary, in addition, the board shall prepare and make available to the public a report upon the disciplinary matters submitted to them where the board recommends disciplinary action, except in those instances when physical therapists and physical therapist assistants possessing licenses voluntarily enter treatment and monitoring programs for purposes of rehabilitation and, in such instances, only such specific action shall not be reported with any other actions taken prior to, as part of, or following voluntary entrance into such treatment programs. The report shall set forth findings of fact and any final disciplinary actions of the board. If the board does not recommend disciplinary action, a report stating that no action is recommended shall be prepared and forwarded to the complaining party.

334.615. 1. Upon receipt of information that the holder of any license as a physical therapist or physical therapist assistant issued under this chapter may present a clear and present danger to the public health and safety, the executive director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending or restricting the holder of a license as a physical therapist or physical therapist assistant if it believes:

(1) The licensee's acts, conduct, or condition may have violated subsection 2 of section 334.613; and

(2) A licensee is practicing, attempting, or intending to practice in Missouri; and

(3) (a) A licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice; or

(b) Another state, territory, federal agency, or country has issued an order suspending or restricting the physical therapist's or physical therapist assistant's right to practice his or her profession; or

(c) The licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.613; and

(4) The acts, conduct, or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

- (a) Shall be based on the sworn testimony or affidavits presented to the board;
  - (b) May be issued without notice and hearing to the licensee;
  - (c) Shall include the facts which lead the board to conclude that the acts, conduct, or condition of the licensee constitute a clear and present danger to the public health and safety.
- (2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.
- (3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.
- (4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.
- (5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.
4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed under this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3 of this section.
5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that adopts, terminates, or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.
6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.
7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission under section 621.110, RSMo, and subsection 3 of section 334.100.
8. In cases where the board initiates summary suspension or restriction proceedings against a physical therapist or physical therapist assistant licensed under this chapter, and such petition is subsequently denied by the administrative hearing commission, in addition to any award made under sections 536.085 and 536.087, RSMo, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.
9. Notwithstanding the provisions of this chapter or chapter 610, RSMo, or chapter 621, RSMo, to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.
10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.

334.616. 1. A license issued under this chapter by the Missouri state board of registration for the healing arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States

of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense, an essential element of which is fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit, or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

334.617. 1. Upon application by the board and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person from:

(1) Offering to engage or engaging in the performance of any acts or practices for which a license is required by chapters 334.500 to 334.687 upon a showing that such acts or practices were performed or offered to be performed without a license; or

(2) Engaging in any practice or business authorized by a license issued under chapters 334.500 to 334.687 upon a showing that the holder presents a substantial probability of serious danger to the health, safety, or welfare of any resident of the state or client or patient of the licensee.

2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides or Cole County.

3. Any action brought under this section shall be in addition to and not in lieu of any penalty provided by chapters 334.500 to 334.687 and may be brought concurrently with other actions to enforce chapters 334.500 to 334.687.

334.618. Upon receiving information that any provision of sections 334.500 to 334.687 has been or is being violated, the executive director of the board or other person designated by the board shall investigate, and upon probable cause appearing, the executive director shall, under the direction of the board, file a complaint with the administrative hearing commission or appropriate official or court. All such complaints shall be handled as provided by rule promulgated under subdivision (6) of subsection 16 of section 620.010, RSMo.

334.650. 1. After January 1, 1997, no person shall hold himself or herself out as being a physical therapist assistant in this state unless the person is licensed as provided in sections 334.650 to 334.685.

2. A licensed physical therapist shall direct and supervise a physical therapist assistant [at all times. The licensed physical therapist shall have the responsibility of supervising the physical therapy treatment program]. **The physical therapist shall retain ultimate authority and responsibility for the physical therapy treatment. The licensed physical therapist shall have the responsibility of supervising the physical therapy treatment program.** No physical therapist may establish a treating office in which the physical therapist assistant is the primary care provider. No licensed physical therapist shall have under their direct supervision more than four **full-time equivalent** physical therapist assistants.

334.655. 1. A candidate for licensure to practice as a physical therapist assistant shall be at least nineteen years of age. A candidate shall furnish evidence of the person's good moral character and of the person's educational qualifications. The educational requirements for licensure as a physical therapist assistant are:

(1) A certificate of graduation from an accredited high school or its equivalent; and

(2) Satisfactory evidence of completion of an associate degree program of physical therapy education accredited by the commission on accreditation of physical therapy education. 2. Persons desiring to practice as a physical therapist assistant in this state shall appear before the board at such time and place as the board may direct and be examined as to the person's fitness to engage in such practice. Applications for examination shall be [in writing,] on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications provided in subsection 1 of this section. Each application shall contain a statement that the statement is

made under oath of affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the statement, subject to the penalties of making a false affidavit or declaration.

3. The examination of qualified candidates for licensure to practice as physical therapist assistants shall embrace [a written] **an** examination [and] which shall cover the curriculum taught in accredited associate degree programs of physical therapy assistant education. Such examination shall be sufficient to test the qualification of the candidates as practitioners.

4. [The board shall not issue a license to practice as a physical therapist assistant or allow any person to sit for the Missouri state board examination for physical therapist assistants who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

5. The board may waive the provisions of subsection 4 if the applicant has met one of the following provisions: the applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada.

6.] The examination shall include, as related to the human body, the subjects of anatomy, kinesiology, pathology, physiology, psychology, physical therapy theory and procedures as related to medicine and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice as a physical therapist assistant.

**5. The applicant shall pass a test administered by the board on the laws and rules related to the practice as a physical therapist assistant in this state.**

[7.] 6. The board shall license without examination any legally qualified person who is a resident of this state and who was actively engaged in practice as a physical therapist assistant on August 28, 1993. The board may license such person pursuant to this subsection until ninety days after the effective date of this section.

[8.] 7. A candidate to practice as a physical therapist assistant who does not meet the educational qualifications may submit to the board an application for examination if such person can furnish written evidence to the board that the person has been employed in this state for at least three of the last five years under the supervision of a licensed physical therapist and such person possesses the knowledge and training equivalent to that obtained in an accredited school. The board may license such persons pursuant to this subsection until ninety days after rules developed by the state board of healing arts regarding physical therapist assistant licensing become effective.

334.660. 1. The board shall license without examination legally qualified persons who [hold] **possess active** certificates of licensure, registration or certification in any state or territory of the United States or the District of Columbia, who have had no violations, suspensions or revocations of such license, registration or certification, if such persons have passed [a written] **an** examination to practice as a physical therapist assistant that was substantially equal to the examination requirements of this state and in all other aspects, including education, the requirements for such certificates of licensure, registration or certification were, at the date of issuance, substantially equal to the requirements for licensure in this state.

2. [The board shall not issue a license to any applicant who has failed three or more times any physical therapist assistant licensing examination administered in one or more states or territories of the United States or the District of Columbia.

3. The board may waive the provisions of subsection 1 if the applicant has met one of the following provisions: the applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada.

4.] Every applicant for a license pursuant to this section, upon making application and providing documentation of the necessary qualifications as provided in this section, shall pay the same fee required of applicants to take the examination before the board. Within the limits of this section, the board may negotiate reciprocal contracts with licensing boards of other states for the admission of licensed practitioners from Missouri in other states.

**3. The applicant shall successfully pass a test administered by the board on the laws and rules related to practice as a physical therapist assistant in this state.**

334.665. 1. An applicant who has not been previously examined in another jurisdiction and meets the qualifications of subsection 1 of section 334.655 **or an applicant applying for reinstatement of an inactive license under a supervised active practice** may pay a temporary license fee and submit an agreement-to-supervise form which is signed by the applicant's supervising physical therapist to the board and obtain without examination a nonrenewable temporary license. Such temporary licensee may only practice under the supervision of a licensed physical therapist. **The supervising physical therapist shall hold an unencumbered license to practice physical therapy in the state of Missouri and shall provide the board proof of active clinical practice in the state of Missouri for a minimum of one year prior to supervising the temporary licensee. The supervising physical therapist shall not be an immediate family member of the applicant. The board shall define immediate family member and the scope of such supervision by rule. The supervising physical therapist for the first-time examinee applicant shall submit to the board a signed notarized form prescribed by the board attesting that the applicant for temporary license shall begin employment at a location in this state within seven days of issuance of the temporary license. The supervising physical therapist shall notify the board within three days if the temporary licensee's employment ceases.** A licensed physical therapist shall supervise no more than one temporary licensee. [The board shall define the scope of such supervision by rules and regulations.]

2. The temporary license **for the first-time examinee applicant** shall expire on [either] the date the applicant receives the results of the applicant's initial examination, **the date the applicant withdraws from sitting for the examination, the date the board is notified by the supervising physical therapist that the temporary licensee's employment has ceased,** or within ninety days of its issuance, whichever occurs first.

3. **The temporary license for the reinstatement applicant under the supervised active practice shall expire effective one year from the date of issuance.**

334.670. The board shall charge a person, who applies for examination for a license to practice as a physical therapist assistant, an examination fee. If the person does not score a passing grade on the examination, the board may refuse to issue a license. Any applicant who fails to pass the examination may reapply and be reexamined upon payment of a reexamination fee. [No temporary license may be issued to any person who has previously failed the examination in Missouri or any other state or jurisdiction.]

334.675. 1. Every person licensed pursuant to sections 334.650 to 334.685 shall, on or before the licensing renewal date, apply to the board for a certificate of licensure for the next licensing period. The application for renewal shall be made **under oath** on a form furnished to the applicant [and shall state] **by the board. The application shall include, but not be limited to, disclosure of the following:**

- (1) The applicant's full name [and the address at which the applicant practices and the address at which the applicant resides and];
- (2) **The applicant's office address or addresses and telephone number or numbers;**
- (3) **The applicant's home address and telephone number;**
- (4) The date and number of the applicant's license;
- (5) **All final disciplinary actions taken against the applicant by any professional association or society, licensed hospital or medical staff of the hospital, physical therapy facility, state, territory, federal agency or country; and**
- (6) **Information concerning the applicant's current physical and mental fitness to practice the applicant's profession.**

**The applicant may be required to successfully complete a test administered by the board on the laws and rules related to the practice of physical therapy in this state. The test process, dates, and passing scores shall be established by the board by rule.**

2. A [blank application form] **notice** shall be [mailed] **made available** to each person licensed in this state [pursuant to sections 334.650 to 334.685 at the person's last known address of practice or residence. The failure to mail the application for or the failure to receive the application form]. **The failure to receive the notice** does not relieve any person of the duty to renew the person's license and pay the renewal fee as required by sections 334.650 to 334.685 nor shall it exempt the person from the penalties provided by sections 334.650 to 334.685 for failure to renew a license.

3. **If a physical therapist assistant does not renew such license for two consecutive renewal periods, such license shall be deemed voided.**

4. Each applicant for registration shall accompany the application for registration with a registration fee to be paid to the director of revenue for the licensing period for which registration is sought.

5. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; except that, if in the opinion of the board the applicant's failure to register is caused by extenuating circumstances, including illness of the applicant as defined by rule, the delinquent fee may be waived by the board.

6. Upon due application therefore and upon submission by such person of evidence satisfactory to the board that he or she is licensed to practice in this state and upon the payment of fees required to be paid by this chapter, the board shall issue to such person a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his or her office address, the expiration date, and the number of the license to practice.

7. Upon receiving such certificate, every person shall cause it to be readily available or conspicuously displayed at all times in every practice location maintained by such licensee in the state. If the licensee maintains more than one practice location in this state, the board shall without additional fee issue to them duplicate certificates of registration for each practice location so maintained. If any licensee changes practice locations during the period for which any certificate of registration has been issued, such licensee shall, within fifteen days thereafter, notify the board of such change and the board shall issue to the licensee, without additional fee, a new registration certificate showing the new location.

8. Whenever any new license is granted to any physical therapist or physical therapist assistant under the provisions of this chapter, the board shall, upon application therefore, issue to such physical therapist or physical therapist assistant a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

**334.686.** Any person who holds himself or herself out to be a physical therapist assistant or a licensed physical therapist assistant within this state or any person who advertises as a physical therapist assistant and who, in fact, does not hold a valid physical therapist assistant license is guilty of a class B misdemeanor and, upon conviction, shall be punished as provided by law. Any person who, in any manner, represents himself or herself as a physical therapist assistant, or who uses in connection with such person's name the words or letters, "physical therapist assistant", the letters "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any other letters, words, abbreviations or insignia, indicating or implying that the person is a physical therapist assistant without a valid existing license as a physical therapist assistant issued to such person under the provisions of sections 334.500 to 334.620, is guilty of a class B misdemeanor. This section shall not apply to physicians and surgeons licensed under this chapter or to a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education (CAPTE) who is satisfying supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education while under onsite supervision of a physical therapist; or to a physical therapist who is practicing in the United States Armed Forces, United States Public Health Service, or Veterans Administration under federal regulations for state licensure for health care providers.

**334.687. 1.** For purposes of this section, the licensing of physical therapists and physical therapist assistants shall take place within processes established by the state board of registration for the healing arts through rules. The board of healing arts is authorized to adopt rules establishing licensing and renewal procedures, supervision of physical therapist assistants, and former licensees who wish to return to the practice of physical therapy, fees, and addressing such other matters as are necessary to protect the public and discipline the profession.

**2.** Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.



On motion of Representative Wasson, **House Amendment No. 2** was adopted by the following vote:

AYES: 143

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Icet	Jones 89	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 002

Skaggs Whorton

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 015

Avery	Baker 123	Chappelle-Nadal	Corcoran	El-Amin
Hubbard	Johnson	Jones 117	Kraus	Marsh
McGhee	Robinson	Spreng	Young	Zweifel

VACANCIES: 002

Representative Wasson offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1700, Page 16, Section 338.132, Line 12, by inserting after all of said line the following:

"339.010. 1. A "real estate broker" is any person, partnership, association, or corporation, foreign or domestic who, for another, and for a compensation or valuable consideration, does, or attempts to do, any or all of the following:

- (1) Sells, exchanges, purchases, rents, or leases real estate;
- (2) Offers to sell, exchange, purchase, rent or lease real estate;
- (3) Negotiates or offers or agrees to negotiate the sale, exchange, purchase, rental or leasing of real estate;
- (4) Lists or offers or agrees to list real estate for sale, lease, rental or exchange;
- (5) Buys, sells, offers to buy or sell or otherwise deals in options on real estate or improvements thereon;
- (6) Advertises or holds himself or herself out as a licensed real estate broker while engaged in the business of buying, selling, exchanging, renting, or leasing real estate;
- (7) Assists or directs in the procuring of prospects, calculated to result in the sale, exchange, leasing or rental of real estate;

(8) Assists or directs in the negotiation of any transaction calculated or intended to result in the sale, exchange, leasing or rental of real estate;

(9) Engages in the business of charging to an unlicensed person an advance fee in connection with any contract whereby the real estate broker undertakes to promote the sale of that person's real estate through its listing in a publication issued for such purpose intended to be circulated to the general public;

(10) Performs any of the foregoing acts [as an employee of, or] on behalf of[, ] the owner of real estate, or interest therein, or improvements affixed thereon, for compensation.

2. A "real estate salesperson" is any person who for a compensation or valuable consideration becomes associated, either as an independent contractor or employee, either directly or indirectly, with a real estate broker to do any of the things above mentioned. The provisions of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall not be construed to deny a real estate salesperson who is compensated solely by commission the right to be associated with a broker as an independent contractor.

3. The term "commission" as used in sections 339.010 to 339.180 and sections 339.710 to 339.860 means the Missouri real estate commission.

4. "Real estate" for the purposes of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall mean, and include, leaseholds, as well as any other interest or estate in land, whether corporeal, incorporeal, freehold or nonfreehold, and the real estate is situated in this state.

5. "Advertising" shall mean any communication, whether oral or written, between a licensee or other entity acting on behalf of one or more licensees and the public[; it], **and** shall include, but not be limited to, business cards, signs, insignias, letterheads, radio, television, newspaper and magazine ads, Internet advertising, web sites, display or group ads in telephone directories, and billboards.

6. The provisions of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall not apply to:

(1) Any person, partnership, association, or corporation who as owner, lessor, or lessee shall perform any of the acts described in subsection 1 of this section with reference to property owned or leased by them, or to the regular employees thereof[, provided such owner, lessor, or lessee is not engaged in the real estate business];

(2) Any licensed attorney-at-law;

(3) An auctioneer employed by the owner of the property;

(4) Any person acting as receiver, trustee in bankruptcy, administrator, executor, or guardian or while acting under a court order or under the authority of a will, trust instrument or deed of trust or as a witness in any judicial proceeding or other proceeding conducted by the state or any governmental subdivision or agency;

(5) Any person employed or retained to manage real property by, for, or on behalf of the agent or the owner of any real estate shall be exempt from holding a license, if the person is limited to one or more of the following activities:

(a) Delivery of a lease application, a lease, or any amendment thereof, to any person;

(b) Receiving a lease application, lease, or amendment thereof, a security deposit, rental payment, or any related payment, for delivery to, and made payable to, a broker or owner;

(c) Showing a rental unit to any person, as long as the employee is acting under the direct instructions of the broker or owner, including the execution of leases or rental agreements;

(d) Conveying information prepared by a broker or owner about a rental unit, a lease, an application for lease, or the status of a security deposit, or the payment of rent, by any person;

(e) Assisting in the performance of brokers' or owners' functions, administrative, clerical or maintenance tasks;

(f) If the person described in this section is employed or retained by, for, or on behalf of a real estate broker, the real estate broker shall be subject to discipline under this chapter for any conduct of the person that violates this chapter or the regulations promulgated thereunder;

(6) Any officer or employee of a federal agency or the state government or any political subdivision thereof performing official duties;

(7) Railroads and other public utilities regulated by the state of Missouri, or their subsidiaries or affiliated corporations, or to the officers or regular employees thereof, unless performance of any of the acts described in subsection 1 of this section is in connection with the sale, purchase, lease or other disposition of real estate or investment therein unrelated to the principal business activity of such railroad or other public utility or affiliated or subsidiary corporation thereof;

(8) Any bank, trust company, savings and loan association, credit union, insurance company, mortgage banker, or farm loan association organized under the laws of this state or of the United States when engaged in the transaction of business on its own behalf and not for others;

(9) Any newspaper, magazine, periodical, Internet site, Internet communications, or any form of communications regulated or licensed by the Federal Communications Commission or any successor agency or commission whereby the advertising of real estate is incidental to its operation;

(10) Any developer selling Missouri land owned by the developer;

(11) Any employee acting on behalf of a nonprofit community, or regional economic development association, agency or corporation which has as its principal purpose the general promotion and economic advancement of the community at large, provided that such entity:

(a) Does not offer such property for sale, lease, rental or exchange on behalf of another person or entity;

(b) Does not list or offer or agree to list such property for sale, lease, rental or exchange; or

(c) Receives no fee, commission or compensation, either monetary or in kind, that is directly related to sale or disposal of such properties. An economic developer's normal annual compensation shall be excluded from consideration as commission or compensation related to sale or disposal of such properties; or

(12) Any neighborhood association, as that term is defined in section 441.500, RSMo, that without compensation, either monetary or in kind, provides to prospective purchasers or lessors of property the asking price, location, and contact information regarding properties in and near the association's neighborhood, including any publication of such information in a newsletter, Internet site, or other medium."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 3** was adopted by the following vote:

AYES: 139

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Jones 89	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan

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McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 001

Hughes

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 020

Avery	Baker 123	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Donnelly	El-Amin	Harris 23	Johnson
Jones 117	Kraus	Marsh	Nieves	Portwood
Robinson	Spreng	Wright-Jones	Young	Zweifel

VACANCIES: 002

Representative Jones (89) assumed the Chair.

Representative Darrough requested a division of the question on **HCS HB 1700, as amended.**

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Bivins	Brandom	Brown 30	Bruns	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Kasten	Kelly

Kingery	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 052

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Quinn 9	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Baker 123	Burnett	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Donnelly	Dusenberg	El-Amin
Harris 23	Johnson	Jones 117	Kraus	Lembke
Low 39	Marsh	Meadows	Page	Robinson
Roorda	Spreng	Walton	Wright-Jones	Young
Zweifel				

VACANCIES: 002

On motion of Representative Wasson, **Part I of HCS HB 1700** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Kasten	Kelly	Kingery	Lembke

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Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Donnelly	El-Amin	Harris 23	Johnson	Jones 117
Kraus	Low 39	Marsh	Robinson	Salva
Schaaf	Spreng	Young	Zweifel	

VACANCIES: 002

On motion of Representative Wasson, **Part II of HCS HB 1700, as amended**, was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Bivins	Brandom	Brown 30	Bruns	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance

Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 053

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Darrough	Daus	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Meiners	Norr
Oxford	Page	Quinn 9	Roorda	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Baker 123	Burnett	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Curls	Donnelly	El-Amin
Harris 23	Hunter	Johnson	Jones 117	Kraus
Low 39	Marsh	Nasheed	Robinson	Rucker
Salva	Schlottach	Spreng	Young	Zweifel
Mr Speaker				

VACANCIES: 002

On motion of Representative Wasson, **Part III of HCS HB 1700** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Kasten	Kelly	Kingery	Lembke	Lipke
Loehner	May	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson

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Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 052

Aull	Baker 25	Bringer	Brown 50	Casey
Curls	Darrough	Daus	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Bland	Burnett	Chappelle-Nadal	Corcoran
Denison	Donnelly	El-Amin	Harris 23	Hunter
Johnson	Jones 117	Kraus	Low 39	Marsh
McGhee	Robinson	Rucker	Salva	Scavuzzo
Spreng	Wright-Jones	Young	Zweifel	

VACANCIES: 002

On motion of Representative Wasson, **Part IV of HCS HB 1700, as amended**, was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Kelly	Kingery	Lembke	Lipke
Loehner	May	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb



Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 051

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Haywood
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Quinn 9	Roorda	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Burnett	Chappelle-Nadal	Corcoran	Donnelly
El-Amin	Harris 23	Hodges	Hunter	Johnson
Jones 117	Kasten	Kraus	Low 39	Marsh
Page	Robinson	Rucker	Salva	Spreng
Wright-Jones	Young	Zweifel		

VACANCIES: 002

On motion of Representative Wasson, **Part V of HCS HB 1700, as amended**, was adopted.

On motion of Representative Wasson, **HCS HB 1700, as amended**, was ordered perfected and printed by the following vote:

AYES: 131

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany

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Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 010

Bringer	Burnett	Darrough	George	Haywood
Hughes	Lowe 44	Skaggs	Stevenson	Talboy

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 019

Avery	Brown 50	Chappelle-Nadal	Corcoran	Donnelly
El-Amin	Harris 23	Johnson	Jones 117	Kasten
Kraus	Low 39	Marsh	Robinson	Salva
Spreng	Wright-Jones	Young	Zweifel	

VACANCIES: 002

**HB 1756**, relating to counterfeiting, was taken up by Representative Walton.

On motion of Representative Walton, **HB 1756** was ordered perfected and printed.

**HCS HB 1383**, relating to the Business Premises Safety Act, was taken up by Representative Cox.

Representative Franz assumed the Chair.

Representative Burnett requested a division of the question on **HCS HB 1383**.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 053

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Fallert	Frame	George	Grill
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wildberger
Witte	Yaeger	Zimmerman		

PRESENT: 001

Haywood

ABSENT WITH LEAVE: 021

Avery	Bruns	Chappelle-Nadal	Donnelly	El-Amin
Harris 23	Johnson	Kraus	Loehner	Low 39
Marsh	Meadows	Robinson	Rucker	Salva
Schneider	Spreng	Whorton	Wright-Jones	Young
Zweifel				

VACANCIES: 002

On motion of Representative Cox, **Part I of HCS HB 1383** was adopted by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Mr Speaker			

NOES: 002

Oxford                      Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Chappelle-Nadal	Donnelly	El-Amin	Harris 23
Johnson	Kraus	Low 39	Marsh	Robinson
Rucker	Salva	Schneider	Spreng	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 054

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Darrough	Daus
Fallert	Frame	George	Grill	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lowe 44	McClanahan	Meadows
Meiners	Norr	Oxford	Page	Quinn 9
Roorda	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Chappelle-Nadal	Cooper 120	Curls	Donnelly
Dougherty	El-Amin	Guest	Harris 23	Hunter
Johnson	Kraus	Low 39	Marsh	Nasheed
Robinson	Rucker	Salva	Schneider	Spreng
Swinger	Viebrock	Young	Zweifel	

VACANCIES: 002

On motion of Representative Cox, **Part II of HCS HB 1383** was adopted by the following vote:

AYES: 129

Aull	Baker 25	Baker 123	Bivins	Bland
Brandon	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Villa	Wallace	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yates	Zimmerman	Mr Speaker	

NOES: 012

Burnett	Daus	George	Hughes	Kratky
Lowe 44	Oxford	Schoemehl	Talboy	Vogt
Walsh	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Chappelle-Nadal	Corcoran	Donnelly	Dougherty
El-Amin	Grisamore	Harris 23	Johnson	Kraus
Low 39	Marsh	Meadows	Robinson	Rucker
Salva	Spreng	Viebrock	Young	Zweifel

VACANCIES: 002

On motion of Representative Cox, **HCS HB 1383** was ordered perfected and printed by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Zimmerman	Mr Speaker			

NOES: 006

Burnett	Daus	Oxford	Schoemehl	Talboy
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Chappelle-Nadal	Corcoran	Donnelly	Dougherty
El-Amin	Harris 23	Haywood	Hughes	Johnson
Kraus	Lembke	Low 39	Lowe 44	Marsh
Meadows	Meiners	Robinson	Rucker	Spreng
Walton	Young	Zweifel		

VACANCIES: 002

Speaker Jetton resumed the Chair.

**HCS HB 2059**, relating to the Teachers and School Districts Act, was taken up by Representative Wilson (130).

Representative Pearce resumed the Chair.

Representative Holsman requested a division of the question on **HCS HB 2059**.

Representative Pearce requested a parliamentary ruling.

The Parliamentary Committee denied the division of the question.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 052

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Curls	Darrough	Daus	Fallert
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Quinn 9	Roorda	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman			



PRESENT: 001

Kasten

ABSENT WITH LEAVE: 022

Avery	Baker 123	Bland	Chappelle-Nadal	Corcoran
Donnelly	El-Amin	Frame	Harris 23	Hobbs
Johnson	Kraus	Low 39	Marsh	Meiners
Page	Robinson	Rucker	Spreng	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Wilson (130), **HCS HB 2059** was adopted by the following vote:

AYES: 081

Aull	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Shively	Smith 14	Smith 150
Stevenson	Stream	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 059

Baker 25	Bland	Bringer	Brown 30	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Dougherty	Fallert	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
McGhee	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Salva
Scavuzzo	Schieffer	Schoemehl	Silvey	Skaggs
St. Onge	Storch	Talboy	Todd	Villa

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Vogt	Walsh	Walton	Wells	Whorton
Wildberger	Witte	Yaeger	Zimmerman	

PRESENT: 002

Cunningham 86	Fares
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ABSENT WITH LEAVE: 019

Avery	Baker 123	Chappelle-Nadal	Donnelly	El-Amin
Frame	Funderburk	Harris 23	Johnson	Kraus
Low 39	Marsh	Robinson	Rucker	Spreng
Sutherland	Wright-Jones	Young	Zweifel	

VACANCIES: 002

On motion of Representative Wilson (130), **HCS HB 2059** was ordered perfected and printed by the following vote:

AYES: 079

Aull	Baker 123	Bivins	Brandom	Cooper 120
Cooper 155	Cox	Cunningham 145	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fisher	Flook
Franz	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Shively	Smith 14	Smith 150	Stevenson
Stream	Swinger	Thomson	Threlkeld	Tilley
Wallace	Wasson	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 061

Baker 25	Bland	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Curls	Darrough
Daus	Dougherty	Fallert	George	Grill
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
McGhee	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Silvey
Skaggs	St. Onge	Storch	Sutherland	Talboy
Todd	Villa	Vogt	Walsh	Walton

Wells                      Whorton                      Wildberger                      Witte                      Yaeger  
Zimmerman

PRESENT: 002

Cunningham 86                      Fares

ABSENT WITH LEAVE: 019

Avery                      Chappelle-Nadal                      Corcoran                      Donnelly                      El-Amin  
Frame                      Funderburk                      Harris 23                      Johnson                      Kraus  
Low 39                      Marsh                      Robinson                      Sater                      Spreng  
Viebrock                      Wright-Jones                      Young                      Zweifel

VACANCIES: 002

**HCS HBs 2062 & 1518**, relating to military families, was taken up by Representative Pearce.

Representative McClanahan offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 2062 & 1518, Section 6, Page 16, Line 4, by inserting after all of said line the following:

**"Section 7. Each board or commission under subsection 15 of section 620.010, RSMo, shall have the authority to collect and analyze information required to support workforce planning and policy development.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative McClanahan, **House Amendment No. 1** was adopted.

Representative Hobbs assumed the Chair.

Representative Roorda requested a division of the question on **HCS HBs 2062 & 1518, as amended**.

Speaker Pro Tem Pratt resumed the Chair.

The division of the question was denied by the Chair.

On motion of Representative Pearce, **HCS HBs 2062 & 1518, as amended**, was adopted.

On motion of Representative Pearce, **HCS HBs 2062 & 1518, as amended**, was ordered perfected and printed by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Walsh	Walton
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 029

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Frame	George	Johnson	Jones 89	Kraus
Liese	Low 39	Lowe 44	Marsh	Nasheed
Parkinson	Quinn 9	Richard	Robinson	Shively
Spreng	Todd	Vogt	Wallace	Wasson
Wildberger	Wright-Jones	Young	Zweifel	

VACANCIES: 002

**HCS HB 2279**, relating to utility regulation and scrap metal, was taken up by Representative Wright.

**HCS HB 2279** was laid over.

**HB 1851**, relating to the minimum wage, was taken up by Representative Thomson.

Representative Hobbs resumed the Chair.

Representative Cooper (120) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 1851, Section A, Page 1, Line 2, by inserting immediately after all of said line the following:

"290.505. 1. No employer shall employ any of his employees for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

2. Employees of an amusement or recreation business that meets the criteria set out in 29 U.S.C. § 213(a) (3) must be paid one and one-half times their regular compensation for any hours worked in excess of fifty-two hours in any one-week period.

3. With the exception of employees described in subsection (2), the overtime requirements of subsection (1) shall not apply to employees who are exempt from federal minimum wage or overtime requirements [pursuant to 29 U.S.C. §§ 213(a)-(b)] **including, but not limited to, the exemptions or hour calculation formulas specified in 29 U.S.C. Section 207 and 213, and any regulations promulgated thereunder.**

4. **Except as may be otherwise provided under sections 290.500 to 290.530, this section shall be interpreted in accordance with the Fair Labor Standards Act, 29 U.S.C. Section 201, et seq., as amended, and the Portal to Portal Act, 29 U.S.C. Section 251, et seq., as amended, and any regulations promulgated thereunder.**

290.512. 1. No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages [is required to pay wages in excess of fifty percent of the minimum wage rate specified in sections 290.500 to 290.530, however, total compensation for such employee shall total at least the minimum wage specified in sections 290.500 to 290.530, the difference being made up by the employer] **shall pay such employee a cash wage at a rate less than the cash wage amount specified in the Fair Labor Standards Act, 29 U.S.C. Section 203(m), for tipped employees. However, the total compensation for such tipped employee shall not be less than the minimum wage specified in section 290.502.**

2. If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the minimum wage otherwise required to be paid by sections 290.500 to 290.530. The fair market value of the goods and services shall be computed on a weekly basis. The director shall provide by regulation a method of valuing the goods and services received by any employee in lieu of the wages otherwise required to be paid under the provisions of sections 290.500 to 290.530. He shall also provide by regulation a method of determining those types of goods and services that are an incident of employment the receipt of which does not require any discretion on the part of the employee."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda requested a division of the question on **House Amendment No. 1**.

Representative Hobbs requested a parliamentary ruling.

Speaker Pro Tem Pratt resumed the Chair.

The division of the question was denied by the Chair.

Representative Roorda again requested a division of the question on **House Amendment No. 1**.

*House Amendment No. 1*

**PART I**

AMEND House Bill No. 1851, Section A, Page 1, Line 2, by inserting immediately after all of said line the following:

"290.505. 1. No employer shall employ any of his employees for a workweek longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.

2. Employees of an amusement or recreation business that meets the criteria set out in 29 U.S.C. § 213(a) (3) must be paid one and one-half times their regular compensation for any hours worked in excess of fifty-two hours in any one-week period.

3. With the exception of employees described in subsection (2), the overtime requirements of subsection (1) shall not apply to employees who are exempt from federal minimum wage or overtime requirements [pursuant to 29 U.S.C. §§ 213(a)-(b)] **including, but not limited to, the exemptions or hour calculation formulas specified in 29 U.S.C. Section 207 and 213, and any regulations promulgated thereunder.**

**4. Except as may be otherwise provided under sections 290.500 to 290.530, this section shall be interpreted in accordance with the Fair Labor Standards Act, 29 U.S.C. Section 201, et seq., as amended, and the Portal to Portal Act, 29 U.S.C. Section 251, et seq., as amended, and any regulations promulgated thereunder."**

On motion of Representative Cooper (120), **Part I of House Amendment No. 1** was adopted by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock

Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Frame	Franz	Hughes	Johnson	Kraus
Low 39	Marsh	Robinson	Spreng	Young
Zweifel				

VACANCIES: 002

*House Amendment No. 1*

**PART II**

AMEND House Bill No. 1851, Section A, Page 1, Line 2, by inserting immediately after all of said line the following:

"290.512. 1. No employer of any employee who receives and retains compensation in the form of gratuities in addition to wages [is required to pay wages in excess of fifty percent of the minimum wage rate specified in sections 290.500 to 290.530, however, total compensation for such employee shall total at least the minimum wage specified in sections 290.500 to 290.530, the difference being made up by the employer] **shall pay such employee a cash wage at a rate less than the cash wage amount specified in the Fair Labor Standards Act, 29 U.S.C. Section 203(m), for tipped employees. However, the total compensation for such tipped employee shall not be less than the minimum wage specified in section 290.502.**

2. If an employee receives and retains compensation in the form of goods or services as an incident of his employment and if he is not required to exercise any discretion in order to receive the goods or services, the employer is required to pay only the difference between the fair market value of the goods and services and the minimum wage otherwise required to be paid by sections 290.500 to 290.530. The fair market value of the goods and services shall be computed on a weekly basis. The director shall provide by regulation a method of valuing the goods and services received by any employee in lieu of the wages otherwise required to be paid under the provisions of sections 290.500 to 290.530. He shall also provide by regulation a method of determining those types of goods and services that are an incident of employment the receipt of which does not require any discretion on the part of the employee."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Funderburk

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Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Fallert	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Chappelle-Nadal	Donnelly	El-Amin	Frame
Franz	Johnson	Kraus	Low 39	Lowe 44
Marsh	Robinson	Salva	Spreng	Vogt
Young	Zweifel			

VACANCIES: 002

On motion of Representative Cooper (120), **Part II of House Amendment No. 1** was adopted by the following vote:

AYES: 076

Baker 123	Brandom	Brown 30	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nieves	Onder
Parkinson	Parson	Pearce	Pollock	Portwood



Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wells	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 066

Aull	Baker 25	Bivins	Bland	Bringer
Brown 50	Bruns	Burnett	Casey	Corcoran
Curls	Darrough	Daus	Day	Dougherty
Fallert	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	McClanahan	Meadows	Meiners	Nance
Nasheed	Nolte	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schneider	Schoemehl	Shively	Silvey	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Wasson	Weter	Whorton
Wildberger	Wilson 119	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Chappelle-Nadal	Donnelly	El-Amin	Frame
Franz	Hughes	Johnson	Kraus	Low 39
Lowe 44	Marsh	McGhee	Robinson	Salva
Spreng	Vogt	Young	Zweifel	

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater

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Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Yates	Mr Speaker			

NOES: 055

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Corcoran	Darrough	Daus	Fallert
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Bland	Chappelle-Nadal	Curls	Donnelly
El-Amin	Frame	Hunter	Johnson	Kraus
Low 39	Marsh	Robinson	Salva	Spreng
Vogt	Wright 159	Young	Zweifel	

VACANCIES: 002

On motion of Representative Thomson, **HB 1851, as amended**, was ordered perfected and printed by the following vote:

AYES: 095

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Hobbs	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Wasson

Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Mr Speaker

NOES: 050

Aull	Baker 25	Baker 123	Bland	Bringer
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Dougherty	Fallert	George	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Komo	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Nolte
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Schieffer	Schoemehl	Shively	Silvey
Skaggs	Stevenson	Talboy	Todd	Walsh
Walton	Whorton	Wildberger	Wright-Jones	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Brown 50	Chappelle-Nadal	Donnelly	El-Amin
Frame	Johnson	Kratky	Kraus	Low 39
Marsh	Robinson	Spreng	Vogt	Young
Zweifel				

VACANCIES: 002

**HB 2266**, relating to the Missouri Teaching Fellows Program, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 2266** was ordered perfected and printed.

**HCS HB 2114**, relating to paper ballots at elections, was taken up by Representative Zimmerman.

Representative Sutherland assumed the Chair.

On motion of Representative Zimmerman, **HCS HB 2114** was adopted by the following vote:

AYES: 121

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Day	Deeken
Dixon	Dougherty	Ervin	Faith	Fallert
Fares	Fisher	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Jones 89	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota

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Liese	Lipke	Lowe 44	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Roorda	Rucker	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Zimmerman
Mr Speaker				

NOES: 018

Davis	Denison	Dethrow	Dusenberg	Emery
Franz	Hunter	Jones 117	Loehner	Muschany
Parson	Ruestman	Schad	Schlottach	Smith 14
Wasson	Wilson 130	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Baker 25	Brown 50	Chappelle-Nadal	Corcoran
Donnelly	El-Amin	Flook	Frame	George
Icet	Johnson	Kraus	Low 39	Marsh
Meadows	Quinn 9	Robinson	Spreng	Vogt
Young	Zweifel			

VACANCIES: 002

On motion of Representative Zimmerman, **HCS HB 2114** was ordered perfected and printed by the following vote:

AYES: 122

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Dixon	Dougherty	Ervin
Faith	Fallert	Fares	Fisher	Flook
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Jones 89
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Lowe 44	May	McClanahan	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page

Parkinson	Pearce	Pollock	Portwood	Pratt
Quinn 9	Richard	Robb	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schieffer	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Zimmerman	Mr Speaker			

NOES: 021

Davis	Denison	Dethrow	Dusenberg	Emery
Franz	Hunter	Jones 117	Loehner	McGhee
Muschany	Parson	Quinn 7	Ruestman	Schad
Scharnhorst	Schlottach	Smith 14	Wasson	Wilson 130
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Frame	Icet	Johnson	Kraus	Low 39
Marsh	Meadows	Robinson	Roorda	Spreng
Vogt	Young	Zweifel		

VACANCIES: 002

## REFERRAL OF SENATE BILLS

The following Senate Bills were referred to the Committee indicated:

**HCS SB 841** - Fiscal Review (Fiscal Note)

**SS SCS SB 718** - Special Committee on Job Creation and Economic Development

**SCS SB 1139** - Judiciary

## COMMITTEE REPORTS

**Committee on Crime Prevention and Public Safety**, Chairman Brunns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SBs 818 & 795**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Agri-business**, Chairman Munzlinger reporting:

Mr. Speaker: Your Special Committee on Agri-business, to which was referred **SS SCS SB 931**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Tax Reform**, Chairman Smith (14) reporting:

Mr. Speaker: Your Special Committee on Tax Reform, to which was referred **SB 748**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Urban Education Reform**, Chairman Hoskins reporting:

Mr. Speaker: Your Special Committee on Urban Education Reform, to which was referred **HB 2404**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1954**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 885**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 907**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1038**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

**MESSAGE FROM THE GOVERNOR**

EXECUTIVE ORDER

April 22, 2008

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
94th GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2014** entitled:

"AN ACT"

To appropriate money for supplemental purposes for the several departments and offices of state government, and for purchase of equipment, and for the payment of various claims for refunds, for persons, firms, and corporations, and for other purposes, and to transfer money among certain funds, from the funds designated for the fiscal period ending June 30, 2008.

On April 22, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2014**.

Respectfully submitted,

/s/ Matt Blunt  
Governor

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 23, 2008.

**COMMITTEE MEETINGS**

**CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, April 23, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

**CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, April 24, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

**CONSERVATION AND NATURAL RESOURCES**

Thursday, April 24, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 2460

**ELECTIONS**

Wednesday, April 23, 2008, 1:30 p.m. House Chamber south gallery.

Executive session.

**ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, April 23, 2008, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2136, HB 2121, HB 2481, HB 2482

**FISCAL REVIEW**

Thursday, April 24, 2008, 8:30 a.m. Hearing Room 1.

Any House bills or Senate bills that are presented to this committee.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, April 28, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports follow-up.

Some portions of the meeting may be closed pursuant to Section 610.021.

**JUDICIARY**

Wednesday, April 23, 2008, Hearing Room 6 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 1334

**LOCAL GOVERNMENT**

Wednesday, April 23, 2008, Hearing Room 4 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2026, HB 1603, HB 2000,  
HB 2245, HB 2544, SCS SB 765

**RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, April 23, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearings to be held on: HCS SB 1288, HCS SCS SB 724,  
HCS SCS SB 939, HCS SB 1140, HCS SB 925, HCS SB 863,  
HCS HB 1599, HCS HB 2508, HCS HB 2330, HB 2365, HB 1673,  
HB 2458, HCR 34, HCR 35

**SPECIAL COMMITTEE ON HOMELAND SECURITY**

Thursday, April 24, 2008, 8:15 a.m. Hearing Room 5.

Informational meeting.

Public hearing to be held on: HB 2455

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, April 23, 2008, Hearing Room 7 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269



**SPECIAL COMMITTEE ON IMMIGRATION**

Thursday, April 24, 2008, 9:00 a.m. House Chamber side gallery.  
Executive session will be held.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Wednesday, April 23, 2008, 8:30 a.m. Hearing Room 7.  
Discussion on proposed House Committee Substitute for HB 2421.  
Executive session may follow.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Thursday, April 24, 2008, 8:30 a.m. House Chamber south gallery.  
Executive session may follow.  
Public hearing to be held on: SS SCS SB 718

**SPECIAL COMMITTEE ON SMALL BUSINESS**

Wednesday, April 23, 2008, 8:00 a.m. Hearing Room 5.  
Executive session may follow. AMENDED.  
Public hearings to be held on: HCR 20, HB 2555, SCR 40

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Wednesday, April 23, 2008, 8:00 a.m. Hearing Room 6.  
Executive session may follow.  
Public hearings to be held on: HB 1748, SCS SBs 1225 & 1226, SB 762

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, April 23, 2008, 9:00 a.m. Hearing Room 3.  
Executive session may follow.  
Public hearings to be held on: HB 2322, HB 2535

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, April 23, 2008, 12:00 p.m. Hearing Room 5.  
Executive session may follow.  
Public hearing to be held on: SCS SB 720

**WAYS AND MEANS**

Thursday, April 24, 2008, 9:00 a.m. Hearing Room 3.  
Executive session.

## HOUSE CALENDAR

FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 23, 2008

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HCS#2 HB 1423 - St. Onge
- 6 HB 1957 - Hughes
- 7 HB 2144 - Whorton
- 8 HB 1535 - Deeken
- 9 HB 1517 - Cox
- 10 HCS HB 2112 - Emery
- 11 HB 1372 - McGhee
- 12 HCS HB 1590 - Munzlinger
- 13 HCS HB 1504 - Walton
- 14 HCS HB 2156 - Grill
- 15 HCS HB 2159 - Grill
- 16 HB 1562 - LeVota
- 17 HCS HB 2239 - Stevenson
- 18 HCS HB 1438 - Kelly
- 19 HCS HB 1704 - Wallace
- 20 HCS HB 1990 - Wilson (130)
- 21 HCS HB 2110 - Dixon
- 22 HB 2202 - Deeken
- 23 HB 2590 - Moore
- 24 HCS HB 1516 - Bruns
- 25 HCS HB 1723 - Franz
- 26 HCS HB 1745 - Robb
- 27 HB 1764 - Parson
- 28 HB 1871 - Deeken
- 29 HB 1934 - May
- 30 HCS HB 1974 - Schlottach
- 31 HCS HB 2034 - Munzlinger
- 32 HB 2078 - Hubbard
- 33 HB 2207 - Hoskins
- 34 HCS HB 2279 - Wright
- 35 HB 2514 - Weter
- 36 HCS HB 2260 - Storch

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2250, E.C. - Sutherland
- 3 HCS HB 1626 - Emery
- 4 HCS HBs 1788 & 1882 - Day
- 5 HCS HB 1813 - Dougherty
- 6 HCS HB 2060 - Deeken

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 15, (4-10-08, Pages 888-889) - Kuessner
- 3 HCS HCRs 43 & 46, (4-09-08, Pages 860-861) - Funderburk

**SENATE BILLS FOR THIRD READING - CONSENT**

HCS SCS SBs 753, 728, 906 & 1026 - Swinger

(4/16/08)

- 1 HCS SB 723 - Bruns
- 2 HCS SB 733 - Bruns
- 3 HCS SCS SB 760 - St. Onge
- 4 HCS SB 797 - May
- 5 SB 801 - Flook
- 6 HCS SB 820 - Schieffer
- 7 SCS SB 850 - Meiners
- 8 HCS SB 856 - Fallert
- 9 SB 896 - McGhee
- 10 SB 928 - Schad
- 11 SB 936 - Lembke
- 12 HCS SB 943 - Schoeller
- 13 SCS SB 951 - Spreng

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- 14 SB 956 - Hobbs
- 15 HCS SB 978 - Pollock
- 16 SB 979 - Dusenber
- 17 SB 980 - Flook
- 18 SB 991 - Schlottach
- 19 SB 999 - Parson
- 20 HCS SB 1002 - Curls
- 21 HCS SCS SB 1008 - Ervin
- 22 SCS SB 1009, E.C. - Wasson
- 23 SB 1016 - Pratt
- 24 HCS SCS SB 1033 - Sutherland
- 25 HCS SCS SB 1039 - Weter
- 26 SCS SB 1044 - McGhee
- 27 SB 1061 - Cooper (120)
- 28 SB 1073 - Faith
- 29 HCS SCS SB 1131 - Curls
- 30 HCS SB 1135 - Curls
- 31 SCS SB 1150 - Lembke
- 32 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 33 SCS SB 1168 - Scharnhorst
- 34 SB 1177 - Cooper (155)
- 35 SB 1187 - Pollock
- 36 SB 1190 - Wasson
- 37 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 SS SCS SB 944, E.C. - Robb
- 4 SCS SB 967, E.C. - Kingery
- 5 HCS SB 1010 - Stevenson
- 6 SCS SB 806 - Meadows
- 7 HCS SCS SB 830 - Day
- 8 HCS SB 932, (Fiscal Review 4-17-08) - Cooper (120)
- 9 SB 955 - Wildberger
- 10 HCS SB 958 - Schad
- 11 SB 970 - May
- 12 SB 1068 - Sater
- 13 HCS SB 1074 - Smith (14)
- 14 SCS SB 1105 - Faith
- 15 HCS SB 1175, (Fiscal Review 4-17-08) - Cox
- 16 HCS SB 841, (Fiscal Review 4-22-08) - St. Onge

**BILLS IN CONFERENCE**

- 1      SCS HCS HB 2002 - Icet
- 2      SCS HCS HB 2003 - Icet
- 3      SCS HB 2004 - Icet
- 4      SCS HCS HB 2005 - Icet
- 5      SCS HCS HB 2006 - Icet
- 6      SCS HCS HB 2007 - Icet
- 7      SCS HCS HB 2008 - Icet
- 8      SCS HCS HB 2009 - Icet
- 9      SCS HCS HB 2010 - Icet
- 10     SCS HCS HB 2011 - Icet
- 11     SCS HCS HB 2012 - Icet
- 12     SCS HCS HB 2013 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-EIGHTH DAY, WEDNESDAY, APRIL 23, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, holy, pure, undefiled; You are self-sufficient, we are not. We are reminded daily of our insufficiency. Our sufficiency is of You.

Knowing that fretful minds weigh us down, but a word of encouragement does wonders, we choose to speak of Your glory and majesty and meditate on Your wonderful deeds. May anxiety give way to peace, discouragement to encouragement, sluggishness to motivation, divine guidance to a cure.

Your blessing is our greatest wealth and all of our work adds nothing to it. May we continue in Your blessings throughout this day and the remainder of this week.

Now may You, Who have made us and sustained us, strengthened, encouraged and comforted us by Your will; grant us grace for each moment of this day.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Grace Dunker, Blake Barth, Emily Arthur, Grant Pace, Casey Thater, Travis Williams, Anna Peterson, Sam Pey, Mark Curtin, Julian Roscoe, Anna Marie Tihen, Jessica Morgan Bailey, Grace Rusenstrom, Rose Rusenstrom and Ireland Rusenstrom.

The Journal of the fifty-seventh day was approved as corrected.

## SPECIAL RECOGNITION

Thomas P. Cummings was introduced by Representative Nolte and recognized as an Outstanding Missourian.

Donna Jahnke was introduced by Representatives Yaeger and Muschany and presented a resolution honoring her designation as the Missouri National Distinguished Principal for 2008.

The Harrisburg Bulldogs Boys Basketball Team was introduced by Representative Quinn (9) and recognized for attaining the 2007-2008 Class 2 State Championship.

**PERFECTION OF HOUSE BILL**

**HCS HB 2279**, relating to utility regulation and scrap metal, was taken up by Representative Wright.

Representative Emery offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2279, Pages 4 and 5, Section 393.1012, by removing said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 1** was adopted by the following vote:

AYES: 123

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Wilson 119	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 019

Bland	Curls	Fallert	Frame	George
Haywood	Hubbard	Hughes	Komo	Lowe 44
Nasheed	Roorda	Schoemehl	Talboy	Vogt
Walsh	Walton	Whorton	Wright-Jones	

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 018

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Flook	Hunter	Johnson	Kraus	Low 39
Marsh	Meadows	Rucker	Salva	Spreng
Wildberger	Young	Zweifel		

VACANCIES: 002

## Representative Emery offered **House Amendment No. 2.**

### *House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2279, Pages 2 and 3, Section 393.170, by removing said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 2** was adopted by the following vote:

AYES: 100

Baker 123	Bivins	Brandom	Brown 30	Brown 50
Bruns	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Franz	Funderburk	Grill	Grisamore
Guest	Hobbs	Hodges	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kratky
Lampe	Lembke	Liese	Lipke	Loehner
Lowe 44	May	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wells	Weter
Wilson 119	Wood	Wright 159	Yates	Mr Speaker

NOES: 042

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Curls	Daus	Fallert	Frame
George	Harris 23	Harris 110	Haywood	Holsman
Hubbard	Hughes	Komo	Kuessner	LeVota
McClanahan	Nasheed	Norr	Oxford	Quinn 9
Roorda	Schoemehl	Shively	Storch	Swinger



Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 018

Avery	Chappelle-Nadal	Donnelly	El-Amin	Flook
Hoskins	Hunter	Johnson	Kraus	Low 39
Marsh	Meadows	Page	Robinson	Spreng
Wasson	Wildberger	Young		

VACANCIES: 002

Representative Pollock offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2279, Page 5, Section 394.320, Line 6, by deleting the following:

"**at wholesale or related services**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wells offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*

*to*

*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for House Bill No. 2279, Page 1, Line 2, by inserting after all of said line the following:

Further amend said bill, Section 394.320, Line 11, Page 5, by deleting from said line the phrase "**394.160**" and inserting in lieu thereof the phrase "**394.140**"; and'.

On motion of Representative Wells, **House Amendment No. 1 to House Amendment No. 3** was adopted.

On motion of Representative Pollock, **House Amendment No. 3, as amended**, was adopted.

Representative Baker (25) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 2279, Section 570.056, Page 9, Line 3, by inserting immediately after all of said line the following:

"660.115. 1. For each eligible household, an amount not exceeding [six] **eight** hundred dollars for each fiscal year may be paid from the utilicare stabilization fund to the primary or secondary heating source supplier, or both,

including suppliers of heating fuels, such as gas, electricity, wood, coal, propane and heating oil. For each eligible household, an amount not exceeding [six] **eight** hundred dollars for each fiscal year may be paid from the utilicare stabilization fund to the primary or secondary cooling source supplier, or both; provided that the respective shares of overall funding previously received by primary and secondary heating and cooling source suppliers on behalf of their customers shall be substantially maintained.

2. For an eligible household, other than a household located in publicly owned or subsidized housing, an adult boarding facility, an intermediate care facility, a residential care facility or a skilled nursing facility, whose members rent their dwelling and do not pay a supplier directly for the household's primary or secondary heating or cooling source, utilicare payments shall be paid directly to the head of the household, except that total payments shall not exceed eight percent of the household's annual rent or one hundred dollars, whichever is less.

660.135. 1. Not more than [five] **ten** million dollars from state general revenue shall be appropriated by the general assembly to the utilicare stabilization fund established pursuant to section 660.136 for the support of the utilicare program established by sections 660.100 to 660.136 for any fiscal year, except in succeeding years the amount of state funds may be increased by a percentage which reflects the national cost-of-living index or seven percent, whichever is lower.

2. The department of social services [may] **shall**, in coordination with the department of natural resources, apply a portion of the funds appropriated annually by the general assembly to the utilicare stabilization fund established pursuant to section 660.136 to the low income weatherization assistance program of the department of natural resources; provided that any project financed with such funds shall be consistent with federal guidelines for the Weatherization Assistance Program for Low-Income Persons as authorized by 42 U.S.C. 6861."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Baker (25), **House Amendment No. 4** was adopted.

Representative Bringer offered **House Amendment No. 5**.

Representative Schoeller raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Zimmerman requested a division of the question on **HCS HB 2279, as amended**.

On motion of Representative Wright, **Part I of HCS HB 2279** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Funderburk	Grisamore
Guest	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson

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Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Chappelle-Nadal	Denison	Donnelly	El-Amin
Flook	Hobbs	Hunter	Johnson	Kraus
Low 39	Marsh	Meadows	Robinson	Salva
Spreng	Wright-Jones	Young	Zweifel	

VACANCIES: 002

On motion of Representative Wright, **Part II of HCS HB 2279, as amended**, was adopted by the following vote:

AYES: 088

Aull	Brandom	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Faith	Fares
Franz	Funderburk	Grisamore	Guest	Haywood
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Lembke	Liese
Loehner	Lowe 44	May	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Skaggs	Smith 14
Smith 150	St. Onge	Stream	Thomson	Threlkeld

Tilley	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wood
Wright 159	Yates	Mr Speaker		

NOES: 049

Baker 25	Baker 123	Bland	Bringer	Brown 30
Burnett	Corcoran	Darrough	Daus	Ervin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Komo
Kratky	Kuessner	Lampe	LeVota	Lipke
McClanahan	McGhee	Nasheed	Norr	Oxford
Page	Pearce	Quinn 9	Sander	Scavuzzo
Schoemehl	Shively	Stevenson	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Witte	Yaeger	Zimmerman	

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 023

Avery	Bivins	Chappelle-Nadal	Curls	Denison
Donnelly	El-Amin	Fisher	Flook	Hobbs
Hunter	Johnson	Kraus	Low 39	Marsh
Meadows	Robinson	Salva	Spreng	Sutherland
Wright-Jones	Young	Zweifel		

VACANCIES: 002

On motion of Representative Wright, **Part III of HCS HB 2279, as amended**, was adopted by the following vote:

AYES: 082

Baker 123	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Funderburk	Grisamore
Guest	Haywood	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Loehner	May	McGhee	Moore
Munzlinger	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Viebrock	Wasson
Wells	Weter	Wilson 119	Wood	Wright 159
Yates	Mr Speaker			

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 30
Brown 50	Burnett	Casey	Corcoran	Darrough
Daus	Davis	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Lowe 44	McClanahan	Meiners
Muschany	Nasheed	Norr	Oxford	Portwood
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Silvey	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 022

Avery	Chappelle-Nadal	Donnelly	El-Amin	Flook
Hobbs	Holsman	Hughes	Johnson	Kraus
Low 39	Marsh	Meadows	Page	Robinson
Salva	Spreng	Tilley	Vogt	Wallace
Young	Zweifel			

VACANCIES: 002

On motion of Representative Wright, **Part IV of HCS HB 2279, as amended**, was adopted.

On motion of Representative Wright, **HCS HB 2279, as amended**, was ordered perfected and printed.

On motion of Representative Tilley, the House recessed until 2:10 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2135 through House Resolution No. 2188

### **PERFECTION OF HOUSE BILLS**

**HCS HB 2034**, relating to firearm ranges and hunting preserves, was taken up by Representative Munzlinger.

Representative Funderburk offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2034, Page 1, In the Title, Line 2, by deleting the word "two" and inserting in lieu thereof the word "three"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the word "two" and inserting in lieu thereof the word "three"; and

Further amend said bill, Section A, Line 2, by deleting the word and number "and 537.355" and inserting in lieu thereof the numbers and word ", 537.355, and 571.012"; and

Further amend said bill, Page 4, Section 537.355, Line 14, by inserting after all of said line the following:

**"571.012. Notwithstanding any other provision of law or regulation, all public firearms ranges owned and operated by the state of Missouri or the agencies thereof shall allow the use of B-27 targets.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Pearce assumed the Chair.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Quinn 9	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger

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Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Chappelle-Nadal	Cooper 120	Donnelly	El-Amin
Haywood	Hunter	Johnson	Kraus	Meadows
Page	Richard	Robb	Robinson	Rucker
Spreng	Wright-Jones	Young	Zweifel	

VACANCIES: 002

On motion of Representative Funderburk, **House Amendment No. 1** was adopted by the following vote:

AYES: 122

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Holsman
Hoskins	Hubbard	Hughes	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kuessner	Lampe	Lembke	LeVota	Lipke
Loehner	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zimmerman	Mr Speaker			

NOES: 021

Brown 50	Burnett	Darrough	Daus	George
Hodges	Kratky	Liese	Low 39	Lowe 44
McClanahan	Oxford	Schoemehl	Skaggs	Talboy
Villa	Vogt	Walsh	Whorton	Wright-Jones
Yaeger				

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Chappelle-Nadal	Cooper 120	Donnelly	Dusenberg
El-Amin	Haywood	Hunter	Johnson	Kraus
Meadows	Page	Richard	Robb	Robinson
Spreng	Young	Zweifel		

VACANCIES: 002

On motion of Representative Munzlinger, **HCS HB 2034, as amended**, was adopted.

On motion of Representative Munzlinger, **HCS HB 2034, as amended**, was ordered perfected and printed.

Speaker Pro Tem Pratt resumed the Chair.

**HCS HB 1516**, relating to protections for vulnerable persons, was taken up by Representative Bruns.

Representative Bruns offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1516, Section 192.2178, Page 35, Line 88, by inserting immediately after the number "566" the following:

", **568**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bruns, **House Amendment No. 1** was adopted.

Representative Schaaf offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1516, Section A, Page 2, Line 15, by inserting after all of said section the following:

"192.667. 1. All health care providers shall at least annually provide to the department charge data as required by the department. All hospitals shall at least annually provide patient abstract data and financial data as required by the department. Hospitals as defined in section 197.020, RSMo, shall report patient abstract data for outpatients and inpatients. Within one year of August 28, 1992, ambulatory surgical centers as defined in section 197.200, RSMo, shall provide patient abstract data to the department. The department shall specify by rule the types of information which shall be submitted and the method of submission.

2. The department shall collect data on required nosocomial infection incidence rates from hospitals, ambulatory surgical centers, and other facilities as necessary to generate the reports required by this section. Hospitals, ambulatory surgical centers, and other facilities shall provide such data in compliance with this section.

3. No later than July 1, 2005, the department shall promulgate rules specifying the standards and procedures for the collection, analysis, risk adjustment, and reporting of nosocomial infection incidence rates and the types of infections and procedures to be monitored pursuant to subsection 12 of this section. In promulgating such rules, the department shall:



(1) Use methodologies and systems for data collection established by the federal Centers for Disease Control and Prevention National [Nosocomial Infection Surveillance System] **Healthcare Safety Network**, or its successor; and

(2) Consider the findings and recommendations of the infection control advisory panel established pursuant to section 197.165, RSMo.

4. The infection control advisory panel created by section 197.165, RSMo, shall make a recommendation to the department regarding the appropriateness of implementing all or part of the nosocomial infection data collection, analysis, and public reporting requirements of this act by authorizing hospitals, ambulatory surgical centers, and other facilities to participate in the federal Centers for Disease Control and Prevention's National [Nosocomial Infection Surveillance System] **Healthcare Safety Network**, or its successor. The advisory panel shall consider the following factors in developing its recommendation:

(1) Whether the public is afforded the same or greater access to facility-specific infection control indicators and rates than would be provided under subsections 2, 3, and 6 to 12 of this section;

(2) Whether the data provided to the public are subject to the same or greater accuracy of risk adjustment than would be provided under subsections 2, 3, and 6 to 12 of this section;

(3) Whether the public is provided with the same or greater specificity of reporting of infections by type of facility infections and procedures than would be provided under subsections 2, 3, and 6 to 12 of this section;

(4) Whether the data are subject to the same or greater level of confidentiality of the identity of an individual patient than would be provided under subsections 2, 3, and 6 to 12 of this section;

(5) Whether the National [Nosocomial Infection Surveillance System] **Healthcare Safety Network**, or its successor, has the capacity to receive, analyze, and report the required data for all facilities;

(6) Whether the cost to implement the nosocomial infection data collection and reporting system is the same or less than under subsections 2, 3, and 6 to 12 of this section.

5. Based on the affirmative recommendation of the infection control advisory panel, and provided that the requirements of subsection 12 of this section can be met, the department may or may not implement the federal Centers for Disease Control and Prevention [Nosocomial Infection Surveillance System] **National Healthcare Safety Network**, or its successor, as an alternative means of complying with the requirements of subsections 2, 3, and 6 to 12 of this section. If the department chooses to implement the use of the federal Centers for Disease Control Prevention [Nosocomial Infection Surveillance System] **National Healthcare Safety Network**, or its successor, as an alternative means of complying with the requirements of subsections 2, 3, and 6 to 12 of this section, it shall be a condition of licensure for hospitals and ambulatory surgical centers which opt to participate in the federal program to permit the federal program to disclose facility-specific data to the department as necessary to provide the public reports required by the department. Any hospital or ambulatory surgical center which does not voluntarily participate in the National [Nosocomial Infection Surveillance System] **Healthcare Safety Network**, or its successor, shall be required to abide by all of the requirements of subsections 2, 3, and 6 to 12 of this section.

6. The department shall not require the resubmission of data which has been submitted to the department of health and senior services or the department of social services under any other provision of law. The department of health and senior services shall accept data submitted by associations or related organizations on behalf of health care providers by entering into binding agreements negotiated with such associations or related organizations to obtain data required pursuant to section 192.665 and this section. A health care provider shall submit the required information to the department of health and senior services:

(1) If the provider does not submit the required data through such associations or related organizations;

(2) If no binding agreement has been reached within ninety days of August 28, 1992, between the department of health and senior services and such associations or related organizations; or

(3) If a binding agreement has expired for more than ninety days.

7. Information obtained by the department under the provisions of section 192.665 and this section shall not be public information. Reports and studies prepared by the department based upon such information shall be public information and may identify individual health care providers. The department of health and senior services may authorize the use of the data by other research organizations pursuant to the provisions of section 192.067. The department shall not use or release any information provided under section 192.665 and this section which would enable any person to determine any health care provider's negotiated discounts with specific preferred provider organizations or other managed care organizations. The department shall not release data in a form which could be used to identify a patient. Any violation of this subsection is a class A misdemeanor.

8. The department shall undertake a reasonable number of studies and publish information, including at least an annual consumer guide, in collaboration with health care providers, business coalitions and consumers based upon the information obtained pursuant to the provisions of section 192.665 and this section. The department shall allow all health care providers and associations and related organizations who have submitted data which will be used in any

report to review and comment on the report prior to its publication or release for general use. The department shall include any comments of a health care provider, at the option of the provider, and associations and related organizations in the publication if the department does not change the publication based upon those comments. The report shall be made available to the public for a reasonable charge.

9. Any health care provider which continually and substantially, as these terms are defined by rule, fails to comply with the provisions of this section shall not be allowed to participate in any program administered by the state or to receive any moneys from the state.

10. A hospital, as defined in section 197.020, RSMo, aggrieved by the department's determination of ineligibility for state moneys pursuant to subsection 9 of this section may appeal as provided in section 197.071, RSMo. An ambulatory surgical center as defined in section 197.200, RSMo, aggrieved by the department's determination of ineligibility for state moneys pursuant to subsection 9 of this section may appeal as provided in section 197.221, RSMo.

11. The department of health may promulgate rules providing for collection of data and publication of nosocomial infection incidence rates for other types of health facilities determined to be sources of infections; except that, physicians' offices shall be exempt from reporting and disclosure of infection incidence rates.

12. In consultation with the infection control advisory panel established pursuant to section 197.165, RSMo, the department shall develop and disseminate to the public reports based on data compiled for a period of twelve months. Such reports shall be updated quarterly and shall show for each hospital, ambulatory surgical center, and other facility a risk-adjusted nosocomial infection incidence rate for the following types of infection:

- (1) Class I surgical site infections;
- (2) Ventilator-associated pneumonia; **provided that, upon the recommendation of the infection control advisory panel one or more other quality indicators designed to better measure the risk of acquiring ventilator-associated pneumonia can be substituted for a risk-adjusted nosocomial infection incidence rate;**
- (3) Central line-related bloodstream infections;
- (4) Other categories of infections that may be established by rule by the department.

The department, in consultation with the advisory panel, shall be authorized to collect and report data on subsets of each type of infection described in this subsection.

13. In the event the provisions of this act are implemented by requiring hospitals, ambulatory surgical centers, and other facilities to participate in the federal Centers for Disease Control and Prevention National [Nosocomial Infection Surveillance System] **Healthcare Safety Network**, or its successor, the types of infections to be publicly reported shall be determined by the department by rule and shall be consistent with the infections tracked by the National Nosocomial Infection Surveillance System, or its successor.

14. Reports published pursuant to subsection 12 of this section shall be published on the department's Internet web site. The initial report shall be issued by the department not later than December 31, 2006. The reports shall be distributed at least annually to the governor and members of the general assembly.

15. The Hospital Industry Data Institute shall publish a report of Missouri hospitals' and ambulatory surgical centers' compliance with standardized quality of care measures established by the federal Centers for Medicare and Medicaid Services for prevention of infections related to surgical procedures. If the Hospital Industry Data Institute fails to do so by July 31, 2008, and annually thereafter, the department shall be authorized to collect information from the Centers for Medicare and Medicaid Services or from hospitals and ambulatory surgical centers and publish such information in accordance with subsection 14 of this section.

16. The data collected or published pursuant to this section shall be available to the department for purposes of licensing hospitals and ambulatory surgical centers pursuant to chapter 197, RSMo.

17. The department shall promulgate rules to implement the provisions of section 192.131 and sections 197.150 to 197.160, RSMo. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void."; and

Further amend said bill, Section 192.2253, Page 48, Line 4, by inserting after all of said section the following:

"197.150. **1.** The department shall require that each hospital, ambulatory surgical center, and other facility have in place procedures for monitoring and enforcing compliance with infection control regulations and standards. Such procedures shall be coordinated with administrative staff, personnel staff, and the quality improvement program. Such

procedures shall include, at a minimum, requirements for the facility's infection control program to conduct surveillance of personnel with a portion of the surveillance to be done in such manner that employees and medical staff are observed without their knowledge of such observation, provided that this unobserved surveillance requirement shall not be considered to be grounds for licensure enforcement action by the department until the department establishes clear and verifiable criteria for determining compliance. Such surveillance also may include monitoring of the rate of use of hand hygiene products.

**2. Beginning January 1, 2009, the department shall require every hospital licensed in this state to establish a methicillin-resistant staphylococcus aureus (MRSA) control program. The program shall be developed by the hospital's administrative staff, medical staff, and quality improvement program, and shall:**

**(1) Establish procedures to isolate identified MRSA-colonized and MRSA-infected patients or use alternative methods to reduce the risk of MRSA transmission when private rooms are not available;**

**(2) Establish procedures, protocols, and education for staff known to be MRSA-colonized or MRSA-infected;**

**(3) Establish an infection-control intervention protocol that includes at a minimum the following elements:**

**(a) Infection control precautions, based on nationally recognized standards, for general surveillance of infected or colonized patients;**

**(b) Intervention protocols based on evidence-based standards;**

**(c) Physical plant operations related to infection control and environmental cleaning;**

**(d) Strict hand washing hygiene protocols and the use of contact barriers;**

**(e) Appropriate use of antimicrobial agents; and**

**(f) Mandatory educational programs for personnel."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 2** was adopted.

Representative Ruestman offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 1516, Section 208.909, Page 59, Line 37, by inserting after all of said line the following:

**"210.305. 1. If emergency placement of a child in a private home is deemed necessary, the children's division shall make diligent efforts to contact and place the child with a grandparent or grandparents of the child, except when the children's division determines that placement with a grandparent or grandparents is not in the best interest of the child. Such an emergency placement with a grandparent or grandparents shall be subject to the provisions of section 210.482 regarding background checks for emergency placements.**

**2. For purposes of this section, the following terms shall mean:**

**(1) "Diligent efforts", a good faith attempt by the children's division, which exercises reasonable efforts and care to utilize all available services and resources related to meeting the ongoing health and safety needs of the child, to locate a grandparent or grandparents of the child after all of the child's physical health needs have been attended to by the children's division;**

**(2) "Emergency placement", those limited instances when the children's division is placing a child in the home of private individuals, including neighbors, friends, or relatives, as a result of a sudden unavailability of the child's primary caretaker.**

**3. Diligent efforts shall be made, if possible, to contact the grandparent or grandparents of the child within three hours from the time the emergency placement is deemed necessary for the child. If a grandparent or grandparents of the child cannot be located within the three-hour period, the child may be placed in a foster home; except that, during the initial twenty-four-hour period after the emergency placement is deemed necessary, the children's division shall continue to make diligent efforts to locate and place the child with a grandparent or grandparents.**

210.565. 1. Whenever a child is placed in a foster home and the court has determined pursuant to subsection 3 of this section that foster home placement with relatives is not contrary to the best interest of the child, the children's division shall give foster home placement to relatives of the child. Notwithstanding any rule of the division to the contrary, **the children's division shall make diligent efforts to locate the grandparents of the child and determine whether they wish to be considered for placement of the child.** Grandparents who request consideration shall be given preference and first consideration for foster home placement **of the child.**

2. As used in this section, the term "relative" means a **grandparent or any other** person related to another by blood or affinity within the third degree. The status of a grandparent shall not be affected by the death or the dissolution of the marriage of a son or daughter.

3. The preference for placement with **grandparents or other** relatives created by this section shall only apply where the court finds that placement with such **grandparents or other** relatives is not contrary to the best interest of the child considering all circumstances. If the court finds that it is contrary to the best interest of a child to be placed with **grandparents or other** relatives, the court shall make specific findings on the record detailing the reasons why the best interests of the child necessitate placement of the child with persons other than **grandparents or other** relatives.

4. The age of the child's **grandparent or other** relative shall not be the only factor that the children's division takes into consideration when it makes placement decisions and recommendations to the court about placing the child with such **grandparent or other** relative.

5. For any Native American child placed in protective custody, the children's division shall comply with the placement requirements set forth in 25 U.S.C. Section 1915.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruestman, **House Amendment No. 3** was adopted.

Representative Wilson (130) offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for House Bill No. 1516, Section 198.006, Page 52, Line 141, by inserting after all of said section and line the following:

"198.074. 1. Effective August 28, 2007, all new facilities licensed **under this chapter** on or after August 28, 2007, or any [facilities completing a] **section of a facility licensed under this chapter in which a** major renovation [to the facility] **has been completed** on or after August 28, 2007, as defined and approved by the department, [and which are licensed under this chapter] shall install and maintain an approved sprinkler system in accordance with National Fire Protection Association (NFPA) 13.

2. Facilities that were initially licensed and had an approved sprinkler system prior to August 28, 2007, shall continue to meet all laws, rules, and regulations for testing, inspection and maintenance of the sprinkler system that were in effect for such facilities on August 27, 2007.

3. Multi-level assisted living facilities that accept or retain any individual with a physical, cognitive, or other impairment that prevents the individual from safely evacuating the facility with minimal assistance shall install and maintain an approved sprinkler system in accordance with NFPA 13. Single-story assisted living facilities that accept or retain any individual with a physical, cognitive, or other impairment that prevents the individual from safely evacuating the facility with minimal assistance shall install and maintain an approved sprinkler system in accordance with NFPA 13R.

4. All residential care and assisted living facilities [with] **licensed for** more than twenty [residents] **beds** not included in subsection 3 of this section, which are initially licensed under this chapter prior to August 28, 2007, and that do not have installed an approved sprinkler system in accordance with NFPA 13R prior to August 28, 2007, shall install and maintain an approved sprinkler system in accordance with NFPA 13R by December 31, 2012, unless the facility meets the safety requirements of Chapter 33 of existing residential board and care occupancies of NFPA 101 life safety code. **Any such facilities that do not have an approved sprinkler system in accordance with NFPA 13R by December 31, 2012, shall be required to install and maintain an approved sprinkler system in accordance with NFPA 13 by December 13, 2013.**

5. All skilled nursing and intermediate care facilities not required prior to August 28, 2007, to install and maintain an approved sprinkler system shall install and maintain an approved sprinkler system in accordance with NFPA

13 by December 31, 2012, unless the facility receives an exemption from the department and presents evidence in writing from a certified sprinkler system representative or licensed engineer that the facility is unable to install an approved [National Fire Protection Association] **NFPA 13** system due to the unavailability of water supply requirements associated with this system or the facility meets the safety requirements of Chapter 33 of existing residential board and care occupancies of NFPA 101 life safety code.

6. Facilities that [take a substantial step] **have submitted a plan for compliance**, as [specified in] **required by subsection [7] 10** of this section, to install an approved **NFPA 13 or 13R** system prior to December 31, 2012, may apply to the department for a loan in accordance with section 198.075 to install such system. **All facilities described in subsections 3, 4, and 5 of this section shall be eligible for the loan.** However, such loan shall [not] **only** be available [if by December 31, 2009,] **until** the average total reimbursement for the care of persons eligible for Medicaid public assistance in an assisted living facility and residential care facility is equal to or exceeds fifty-two dollars per day. The average total reimbursement includes room, board, and care delivered by the facility, but shall not include payments to the facility for care or services not provided by the facility. [If a facility under this subsection does not have an approved sprinkler system installed by December 31, 2012, such facility shall be required to install and maintain an approved sprinkler system in accordance with NFPA 13 by December 31, 2013.] Such loans received under this subsection and in accordance with section 198.075, shall be paid in full as follows:

(1) Ten years for those facilities approved for the loan and whose average total reimbursement rate for the care of persons eligible for Medicaid public assistance is equal to forty-eight and no more than forty-nine dollars per day;

(2) Eight years for those facilities approved for the loan and whose average total reimbursement rate for the care of persons eligible for Medicaid public assistance is greater than forty-nine and no more than fifty-two dollars per day; or

(3) Five years for those facilities approved for the loan and whose average total reimbursement rate for the care of persons eligible for Medicaid public assistance is greater than fifty-two dollars per day.

(4) No payments or interest shall be due until the average total reimbursement rate for the care of persons eligible for Medicaid public assistance is equal to or greater than forty-eight dollars.

7. (1) All facilities licensed under this chapter shall be equipped with a complete fire alarm system in compliance with [NFPA 101, Life Safety Code for Detection, Alarm, and Communication Systems as referenced in] NFPA 72, or shall maintain a system that was approved by the department when such facility was constructed so long as such system is a complete fire alarm system. A complete fire alarm system shall include, but not be limited to, interconnected smoke detectors throughout the facility, automatic transmission to the fire department, dispatching agency, or central monitoring company, manual pull stations at each required exit and attendant's station, heat detectors, and audible and visual alarm indicators.

(2) In addition, each floor accessed by residents shall be divided into at least two smoke sections by one-hour rated smoke partitions. No smoke section shall exceed one hundred fifty feet in length. If neither the length nor the width of the floor exceeds seventy-five feet, no smoke-stop partition shall be required. Facilities with a complete fire alarm system and smoke sections meeting the requirements of this subsection prior to August 28, 2007, shall continue to meet such requirements. Facilities initially licensed on or after August 28, 2007, shall comply with such requirements beginning August 28, 2007, or on the effective date of licensure.

(3) Except as otherwise provided in this subsection, the requirements for complete fire alarm systems and smoke sections shall be enforceable on December 31, 2008.

8. The requirements of this section shall be construed to supersede the provisions of section 198.058 relating to the exemption of facilities from construction standards.

9. Fire safety inspections of facilities licensed under this chapter for compliance with this section shall be conducted annually by the state fire marshal [if such inspections are not available to be conducted by local fire protection districts or fire departments. The provisions of this section shall be enforced by the state fire marshal or by the local fire protection district or fire department, depending on which entity conducted the inspection] **or by local fire protection districts or fire departments if such districts or departments are deemed qualified to conduct facility inspections by the state fire marshal. The state fire marshal shall report the results of facility inspections to the department in order for the department to make licensure and other appropriate decisions.**

10. By July 1, [2008] **2009**, all facilities licensed under this chapter shall submit a plan for compliance with the provisions of this section to the state fire marshal.

198.075. 1. There is hereby created in the state treasury the "Fire Safety Standards Loan Fund", for implementing the provisions of subsection [3] **6** of section 198.074. Moneys deposited in the fund shall be considered state funds under article IV, section 15 of the Missouri Constitution. The state treasurer shall be custodian of the fund and may disburse moneys from the fund in accordance with sections 30.170 and 30.180, RSMo. Any moneys remaining

in the fund at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

2. Qualifying facilities shall make an application to the department of health and senior services upon forms provided by the department. **Such application and loan shall be available to facilities by January 1, 2009.** Upon receipt of an application for a loan, the department shall review the application and advise the governor before state funds are allocated for a loan. For purposes of this section, a "qualifying facility" shall mean a facility licensed under this chapter that is in substantial compliance. "Substantial compliance" shall mean a facility that has no uncorrected deficiencies and is in compliance with department of health and senior services rules and regulations governing such facility.

3. The fund shall be a loan of which the interest rate shall not exceed two and one-half percent.

4. The fund shall be administered by the department of health and senior services."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (130), **House Amendment No. 4** was adopted.

Representative Nance offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for House Bill No. 1516, Section 198.708, Page 58, Line 14, by inserting after all of said section and line the following:

"208.819. 1. **Subject to appropriations**, persons institutionalized in nursing homes who are [Medicaid] **MO HealthNet** eligible and who wish to move back into the community shall be eligible for a one-time [Missouri] transition [to independence] grant. The [Missouri] transition [to independence] grant shall be limited to up to [fifteen] **twenty-four** hundred dollars to offset the initial down payments [and], setup costs, **and other expenditures** associated with housing a **senior or** person with disabilities **needing home and community-based services** as such person moves out of a nursing home. Such grants shall be established and administered by the division of [vocational rehabilitation] **senior and disability services** in consultation with the department of social services. The division of [vocational rehabilitation] **senior and disability services** and the department of social services shall cooperate in actively seeking federal and private grant moneys to **further** fund this program; except that, such federal and private grant moneys shall not limit the general assembly's ability to appropriate moneys for the [Missouri] transition [to independence] grants.

2. The [division of medical services within the department of social services, the] department of health and senior services and the [division of vocational rehabilitation within the department of elementary and secondary education] **department of mental health** shall work together to develop information and training on community-based service options for residents transitioning into the community[. Representatives of disability-related community organizations shall complete such training before initiating contact with institutionalized individuals] **and shall promulgate rules as needed.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 5** was adopted.

Representative Lipke offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for House Bill No. 1516, Section A, Page 2, Line 15, by inserting after all of said line the following:

**"192.975. 1. This section shall be known and may be cited as the "Evan de Mello Reimbursement Program".**

2. For purposes of this section, the following terms shall mean:

- (1) "Child", a resident of this state who is less than twenty-one years of age;
- (2) "Condition or impairment", any disease, defect, or diagnosis that:
  - (a) Requires immediate lifesaving medical treatment; or
  - (b) Can cause a crippling disability if not treated; or
  - (c) Requires prolonged outpatient care; or
  - (d) Has a poor to fair prognosis regardless of treatment or a variable prognosis;
- (3) "Departments", the departments of health and senior services, and mental health;
- (4) "Payer of last resort", the Evan de Mello reimbursement program is the last financial resource for reimbursement after all other available sources of payment have been exhausted;
- (5) "Services", the same as such term is defined in section 201.010, RSMo.

3. The department of health and senior services and the department of mental health shall establish a program to provide financial assistance for the cost of transportation and ancillary services associated with receipt of medical treatment of an eligible child.

4. To be eligible for assistance under the program, a child shall be:

- (1) Suffering from a condition or impairment that results in severe physical illness or physical impairments;
- (2) In need of transportation or ancillary services due to the child's condition;
- (3) Certified by a physician of the child's choice as a child who will likely benefit from medical services;
- (4) Required to travel a distance of one hundred miles or more for medical services, as defined in section 201.010, RSMo, is financially unable to pay for such transportation or ancillary services, and the child's parents, guardian, or person legally responsible for the child's support is unable to pay for such travel expenses.

5. Subject to appropriations, recipients under the program shall receive reimbursement for transportation or ancillary services; except that, if any person, firm, corporation, or public or private agency is liable by contract or otherwise to the parents or a recipient of such services due to personal injury to or disability or disease of the recipient of such services, the service is subrogated to the right of the parent or recipient to recover from that part of the award or settlement an amount equal to the amount expended by the service for such services which are not otherwise recoverable from the parent or recipient. The acceptance of such services from the service constitutes acknowledgment of subrogation rights by the service, and the service may take any and all action necessary to enforce the subrogation rights.

6. The program established under this section is a payer of last resort.

7. The departments shall promulgate rules to implement the provisions of this section. Such rules shall include, but shall not be limited to:

- (1) An application and review process for program eligibility determinations;
- (2) Any per-recipient dollar cap on benefits under the program, which shall not be less than five thousand dollars per recipient; and
- (3) The household income eligibility limits under the program, which shall not exceed a household income of three hundred fifty percent of the federal poverty level.

8. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Lipke, **House Amendment No. 6** was adopted.

Representative Holsman offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for House Bill No. 1516, Section 198.708, Page 58, Line 14, by inserting after all of said section the following:

"208.152. 1. MO HealthNet payments shall be made on behalf of those eligible needy persons as defined in section 208.151 who are unable to provide for it in whole or in part, with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the MO HealthNet division, unless otherwise hereinafter provided, for the following:

(1) Inpatient hospital services, except to persons in an institution for mental diseases who are under the age of sixty-five years and over the age of twenty-one years; provided that the MO HealthNet division shall provide through rule and regulation an exception process for coverage of inpatient costs in those cases requiring treatment beyond the seventy-fifth percentile professional activities study (PAS) or the MO HealthNet children's diagnosis length-of-stay schedule; and provided further that the MO HealthNet division shall take into account through its payment system for hospital services the situation of hospitals which serve a disproportionate number of low-income patients;

(2) All outpatient hospital services, payments therefor to be in amounts which represent no more than eighty percent of the lesser of reasonable costs or customary charges for such services, determined in accordance with the principles set forth in Title XVIII A and B, Public Law 89-97, 1965 amendments to the federal Social Security Act (42 U.S.C. 301, et seq.), but the MO HealthNet division may evaluate outpatient hospital services rendered under this section and deny payment for services which are determined by the MO HealthNet division not to be medically necessary, in accordance with federal law and regulations;

(3) Laboratory and X-ray services;

(4) Nursing home services for participants, except to persons with more than five hundred thousand dollars equity in their home or except for persons in an institution for mental diseases who are under the age of sixty-five years, when residing in a hospital licensed by the department of health and senior services or a nursing home licensed by the department of health and senior services or appropriate licensing authority of other states or government-owned and -operated institutions which are determined to conform to standards equivalent to licensing requirements in Title XIX of the federal Social Security Act (42 U.S.C. 301, et seq.), as amended, for nursing facilities. The MO HealthNet division may recognize through its payment methodology for nursing facilities those nursing facilities which serve a high volume of MO HealthNet patients. The MO HealthNet division when determining the amount of the benefit payments to be made on behalf of persons under the age of twenty-one in a nursing facility may consider nursing facilities furnishing care to persons under the age of twenty-one as a classification separate from other nursing facilities;

(5) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection for those days, which shall not exceed twelve per any period of six consecutive months, during which the participant is on a temporary leave of absence from the hospital or nursing home, provided that no such participant shall be allowed a temporary leave of absence unless it is specifically provided for in his plan of care. As used in this subdivision, the term "temporary leave of absence" shall include all periods of time during which a participant is away from the hospital or nursing home overnight because he is visiting a friend or relative;

(6) Physicians' services, whether furnished in the office, home, hospital, nursing home, or elsewhere;

(7) Drugs and medicines when prescribed by a licensed physician, dentist, or podiatrist; except that no payment for drugs and medicines prescribed on and after January 1, 2006, by a licensed physician, dentist, or podiatrist may be made on behalf of any person who qualifies for prescription drug coverage under the provisions of P.L. 108-173;

(8) Emergency ambulance services and, effective January 1, 1990, medically necessary transportation to scheduled, physician-prescribed nonelective treatments;

(9) Early and periodic screening and diagnosis of individuals who are under the age of twenty-one to ascertain their physical or mental defects, and health care, treatment, and other measures to correct or ameliorate defects and chronic conditions discovered thereby. Such services shall be provided in accordance with the provisions of Section 6403 of P.L. 101-239 and federal regulations promulgated thereunder;

(10) Home health care services;

(11) Family planning as defined by federal rules and regulations; provided, however, that such family planning services shall not include abortions unless such abortions are certified in writing by a physician to the MO HealthNet agency that, in his professional judgment, the life of the mother would be endangered if the fetus were carried to term;

(12) Inpatient psychiatric hospital services for individuals under age twenty-one as defined in Title XIX of the federal Social Security Act (42 U.S.C. 1396d, et seq.);

(13) Outpatient surgical procedures, including presurgical diagnostic services performed in ambulatory surgical facilities which are licensed by the department of health and senior services of the state of Missouri; except, that such



outpatient surgical services shall not include persons who are eligible for coverage under Part B of Title XVIII, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended, if exclusion of such persons is permitted under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, as amended;

(14) Personal care services which are medically oriented tasks having to do with a person's physical requirements, as opposed to housekeeping requirements, which enable a person to be treated by his physician on an outpatient rather than on an inpatient or residential basis in a hospital, intermediate care facility, or skilled nursing facility. Personal care services shall be rendered by an individual not a member of the participant's family who is qualified to provide such services where the services are prescribed by a physician in accordance with a plan of treatment and are supervised by a licensed nurse. Persons eligible to receive personal care services shall be those persons who would otherwise require placement in a hospital, intermediate care facility, or skilled nursing facility. Benefits payable for personal care services shall not exceed for any one participant one hundred percent of the average statewide charge for care and treatment in an intermediate care facility for a comparable period of time. Such services, when delivered in a residential care facility or assisted living facility licensed under chapter 198, RSMo, shall be authorized on a tier level based on the services the resident requires and the frequency of the services. A resident of such facility who qualifies for assistance under section 208.030 shall, at a minimum, if prescribed by a physician, qualify for the tier level with the fewest services. The rate paid to providers for each tier of service shall be set subject to appropriations. Subject to appropriations, each resident of such facility who qualifies for assistance under section 208.030 and meets the level of care required in this section shall, at a minimum, if prescribed by a physician, be authorized up to one hour of personal care services per day. Authorized units of personal care services shall not be reduced or tier level lowered unless an order approving such reduction or lowering is obtained from the resident's personal physician. Such authorized units of personal care services or tier level shall be transferred with such resident if her or she transfers to another such facility. Such provision shall terminate upon receipt of relevant waivers from the federal Department of Health and Human Services. If the Centers for Medicare and Medicaid Services determines that such provision does not comply with the state plan, this provision shall be null and void. The MO HealthNet division shall notify the revisor of statutes as to whether the relevant waivers are approved or a determination of noncompliance is made;

(15) Mental health services. The state plan for providing medical assistance under Title XIX of the Social Security Act, 42 U.S.C. 301, as amended, shall include the following mental health services when such services are provided by community mental health facilities operated by the department of mental health or designated by the department of mental health as a community mental health facility or as an alcohol and drug abuse facility or as a child-serving agency within the comprehensive children's mental health service system established in section 630.097, RSMo. The department of mental health shall establish by administrative rule the definition and criteria for designation as a community mental health facility and for designation as an alcohol and drug abuse facility. Such mental health services shall include:

(a) Outpatient mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(b) Clinic mental health services including preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management;

(c) Rehabilitative mental health and alcohol and drug abuse services including home and community-based preventive, diagnostic, therapeutic, rehabilitative, and palliative interventions rendered to individuals in an individual or group setting by a mental health or alcohol and drug abuse professional in accordance with a plan of treatment appropriately established, implemented, monitored, and revised under the auspices of a therapeutic team as a part of client services management. As used in this section, mental health professional and alcohol and drug abuse professional shall be defined by the department of mental health pursuant to duly promulgated rules.

With respect to services established by this subdivision, the department of social services, MO HealthNet division, shall enter into an agreement with the department of mental health. Matching funds for outpatient mental health services, clinic mental health services, and rehabilitation services for mental health and alcohol and drug abuse shall be certified by the department of mental health to the MO HealthNet division. The agreement shall establish a mechanism for the joint implementation of the provisions of this subdivision. In addition, the agreement shall establish a mechanism by which rates for services may be jointly developed;

(16) Such additional services as defined by the MO HealthNet division to be furnished under waivers of federal statutory requirements as provided for and authorized by the federal Social Security Act (42 U.S.C. 301, et seq.) subject to appropriation by the general assembly;

(17) Beginning July 1, 1990, the services of a certified pediatric or family nursing practitioner with a collaborative practice agreement to the extent that such services are provided in accordance with chapters 334 and 335, RSMo, and regulations promulgated thereunder;

(18) Nursing home costs for participants receiving benefit payments under subdivision (4) of this subsection to reserve a bed for the participant in the nursing home during the time that the participant is absent due to admission to a hospital for services which cannot be performed on an outpatient basis, subject to the provisions of this subdivision:

(a) The provisions of this subdivision shall apply only if:

a. The occupancy rate of the nursing home is at or above ninety-seven percent of MO HealthNet certified licensed beds, according to the most recent quarterly census provided to the department of health and senior services which was taken prior to when the participant is admitted to the hospital; and

b. The patient is admitted to a hospital for a medical condition with an anticipated stay of three days or less;

(b) The payment to be made under this subdivision shall be provided for a maximum of three days per hospital stay;

(c) For each day that nursing home costs are paid on behalf of a participant under this subdivision during any period of six consecutive months such participant shall, during the same period of six consecutive months, be ineligible for payment of nursing home costs of two otherwise available temporary leave of absence days provided under subdivision (5) of this subsection; and

(d) The provisions of this subdivision shall not apply unless the nursing home receives notice from the participant or the participant's responsible party that the participant intends to return to the nursing home following the hospital stay. If the nursing home receives such notification and all other provisions of this subsection have been satisfied, the nursing home shall provide notice to the participant or the participant's responsible party prior to release of the reserved bed;

(19) Prescribed medically necessary durable medical equipment. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(20) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(21) Prescribed medically necessary dental services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(22) Prescribed medically necessary optometric services. Such services shall be subject to appropriations. An electronic web-based prior authorization system using best medical evidence and care and treatment guidelines consistent with national standards shall be used to verify medical need;

(23) The MO HealthNet division shall, by January 1, 2008, and annually thereafter, report the status of MO HealthNet provider reimbursement rates as compared to one hundred percent of the Medicare reimbursement rates and compared to the average dental reimbursement rates paid by third-party payors licensed by the state. The MO HealthNet division shall, by July 1, 2008, provide to the general assembly a four-year plan to achieve parity with Medicare reimbursement rates and for third-party payor average dental reimbursement rates. Such plan shall be subject to appropriation and the division shall include in its annual budget request to the governor the necessary funding needed to complete the four-year plan developed under this subdivision;

**(24) (a) Subject to appropriations, home nursing visits for newborn infants. Such nursing services shall consist of home visits by registered nurses designed to prevent infant mortality, child abuse and neglect for at-risk infants by providing health care, health education, and positive parenting skills, and shall be capable of providing follow-up care as needed until the infant's second birthday. For purposes of this subdivision, "at risk" may include infants born medically fragile, chemically dependent, or deemed by the treating physician as displaying**

failure to thrive or born to a chemically dependent mother, a teenage mother, a mentally or physically challenged mother, or into a family where there has been a history of prior premature births, abuse or neglect, or domestic violence.

(b) Such services shall be developed as a three-year pilot project in a county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants, in a county of the first classification with more than eighty-five thousand but fewer than eighty-seven thousand inhabitants, and in a county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, with no more than five hundred thousand dollars to be expended in each county.

(c) The division shall request appropriate waivers or state plan amendments from the Secretary of the federal Department of Health and Human Services to carry out the requirements of this section.

2. Additional benefit payments for medical assistance shall be made on behalf of those eligible needy children, pregnant women and blind persons with any payments to be made on the basis of the reasonable cost of the care or reasonable charge for the services as defined and determined by the division of medical services, unless otherwise hereinafter provided, for the following:

- (1) Dental services;
- (2) Services of podiatrists as defined in section 330.010, RSMo;
- (3) Optometric services as defined in section 336.010, RSMo;
- (4) Orthopedic devices or other prosthetics, including eye glasses, dentures, hearing aids, and wheelchairs;
- (5) Hospice care. As used in this subsection, the term "hospice care" means a coordinated program of active professional medical attention within a home, outpatient and inpatient care which treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social, and economic stresses which are experienced during the final stages of illness, and during dying and bereavement and meets the Medicare requirements for participation as a hospice as are provided in 42 CFR Part 418. The rate of reimbursement paid by the MO HealthNet division to the hospice provider for room and board furnished by a nursing home to an eligible hospice patient shall not be less than ninety-five percent of the rate of reimbursement which would have been paid for facility services in that nursing home facility for that patient, in accordance with subsection (c) of Section 6408 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989);

(6) Comprehensive day rehabilitation services beginning early posttrauma as part of a coordinated system of care for individuals with disabling impairments. Rehabilitation services must be based on an individualized, goal-oriented, comprehensive and coordinated treatment plan developed, implemented, and monitored through an interdisciplinary assessment designed to restore an individual to optimal level of physical, cognitive, and behavioral function. The MO HealthNet division shall establish by administrative rule the definition and criteria for designation of a comprehensive day rehabilitation service facility, benefit limitations and payment mechanism. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this subdivision shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

3. The MO HealthNet division may require any participant receiving MO HealthNet benefits to pay part of the charge or cost until July 1, 2008, and an additional payment after July 1, 2008, as defined by rule duly promulgated by the MO HealthNet division, for all covered services except for those services covered under subdivisions (14) and (15) of subsection 1 of this section and sections 208.631 to 208.657 to the extent and in the manner authorized by Title XIX of the federal Social Security Act (42 U.S.C. 1396, et seq.) and regulations thereunder. When substitution of a generic drug is permitted by the prescriber according to section 338.056, RSMo, and a generic drug is substituted for a name-brand drug, the MO HealthNet division may not lower or delete the requirement to make a co-payment pursuant to regulations of Title XIX of the federal Social Security Act. A provider of goods or services described under this section must collect from all participants the additional payment that may be required by the MO HealthNet division under authority granted herein, if the division exercises that authority, to remain eligible as a provider. Any payments made by participants under this section shall be in addition to and not in lieu of payments made by the state for goods or services described herein except the participant portion of the pharmacy professional dispensing fee shall be in addition to and not in lieu of payments to pharmacists. A provider may collect the co-payment at the time a service is provided or at a later date. A provider shall not refuse to provide a service if a participant is unable to pay a required payment. If it is the routine business practice of a provider to terminate future services to an individual with an

unclaimed debt, the provider may include uncollected co-payments under this practice. Providers who elect not to undertake the provision of services based on a history of bad debt shall give participants advance notice and a reasonable opportunity for payment. A provider, representative, employee, independent contractor, or agent of a pharmaceutical manufacturer shall not make co-payment for a participant. This subsection shall not apply to other qualified children, pregnant women, or blind persons. If the Centers for Medicare and Medicaid Services does not approve the Missouri MO HealthNet state plan amendment submitted by the department of social services that would allow a provider to deny future services to an individual with uncollected co-payments, the denial of services shall not be allowed. The department of social services shall inform providers regarding the acceptability of denying services as the result of unpaid co-payments.

4. The MO HealthNet division shall have the right to collect medication samples from participants in order to maintain program integrity.

5. Reimbursement for obstetrical and pediatric services under subdivision (6) of subsection 1 of this section shall be timely and sufficient to enlist enough health care providers so that care and services are available under the state plan for MO HealthNet benefits at least to the extent that such care and services are available to the general population in the geographic area, as required under subparagraph (a)(30)(A) of 42 U.S.C. 1396a and federal regulations promulgated thereunder.

6. Beginning July 1, 1990, reimbursement for services rendered in federally funded health centers shall be in accordance with the provisions of subsection 6402(c) and Section 6404 of P.L. 101-239 (Omnibus Budget Reconciliation Act of 1989) and federal regulations promulgated thereunder.

7. Beginning July 1, 1990, the department of social services shall provide notification and referral of children below age five, and pregnant, breast-feeding, or postpartum women who are determined to be eligible for MO HealthNet benefits under section 208.151 to the special supplemental food programs for women, infants and children administered by the department of health and senior services. Such notification and referral shall conform to the requirements of Section 6406 of P.L. 101-239 and regulations promulgated thereunder.

8. Providers of long-term care services shall be reimbursed for their costs in accordance with the provisions of Section 1902 (a)(13)(A) of the Social Security Act, 42 U.S.C. 1396a, as amended, and regulations promulgated thereunder.

9. Reimbursement rates to long-term care providers with respect to a total change in ownership, at arm's length, for any facility previously licensed and certified for participation in the MO HealthNet program shall not increase payments in excess of the increase that would result from the application of Section 1902 (a)(13)(C) of the Social Security Act, 42 U.S.C. 1396a (a)(13)(C).

10. The MO HealthNet division, may enroll qualified residential care facilities and assisted living facilities, as defined in chapter 198, RSMo, as MO HealthNet personal care providers.

11. Any income earned by individuals eligible for certified extended employment at a sheltered workshop under chapter 178, RSMo, shall not be considered as income for purposes of determining eligibility under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Portwood offered **House Amendment No. 1 to House Amendment No. 7.**

Representative Darrough raised a point of order that **House Amendment No. 1 to House Amendment No. 7** is not a true amendment to the amendment.

The Chair ruled the point of order well taken.

On motion of Representative Holsman, **House Amendment No. 7** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenber	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pollock	Portwood	Pratt	Quinn 7	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Dougherty	Fallert	Frame	George
Grill	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 021

Chappelle-Nadal	Cooper 120	Donnelly	El-Amin	Harris 23
Haywood	Hughes	Johnson	Kraus	Meadows
Page	Pearce	Richard	Robb	Robinson
Spreng	Viebrock	Wallace	Walton	Young
Zweifel				

VACANCIES: 002

Representative Nieves assumed the Chair.

On motion of Representative Bruns, **HCS HB 1516, as amended**, was adopted.

On motion of Representative Bruns, **HCS HB 1516, as amended**, was ordered perfected and printed.

**HB 2590**, relating to sovereign immunity for inmates, was taken up by Representative Moore.

On motion of Representative Moore, **HB 2590** was ordered perfected and printed.

**HB 2202**, relating to corrections officer pay parameters, was taken up by Representative Deeken.

Representative Bringer offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Bill No. 2202, Section 36.062, Page 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

**"36.062. Personnel who work in department of correction facilities, including but not limited to corrections officers"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 1** was adopted by the following vote:

AYES: 135

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Holsman	Hoskins	Hughes	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Vogt	Wallace
Walsh	Walton	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Chappelle-Nadal	Cooper 120	Donnelly	El-Amin	Harris 23
Haywood	Hodges	Hubbard	Hunter	Johnson
Kraus	Meadows	Page	Parkinson	Richard
Robb	Robinson	Salva	Spreng	Tilley
Viebrock	Villa	Wasson	Wright-Jones	Young
Zweifel				

VACANCIES: 002

## Representative Roorda offered **House Amendment No. 2.**

### *House Amendment No. 2*

AMEND House Bill No. 2202, Section 36.062, Page 1, Line 7, by inserting the following after all of said line:

**"217.106. 1. There is hereby created in the state treasury the "Corrections Officer Training Fund". The corrections officer training fund shall be administered by the corrections officer certification commission. Money in the fund shall be used solely for training required as provided in section 217.108. All interest earned upon moneys in the fund shall be credited to the corrections officer training fund.**

**2. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the corrections officer training fund shall not be transferred and placed to the credit of the general revenue fund.**

**217.108. 1. For the three-year time period beginning January 1, 2009, and ending December 31, 2011, and for every succeeding three-year time period thereafter, all corrections officers as defined in section 217.105 and all jailers as defined in chapter 221, RSMo, shall receive a minimum of thirty-six hours of training during each and every three year time period.**

**2. The thirty-six hours of training required under subsection one of this section shall be as follows:**

**(1) A minimum of eighteen hours of the training shall be police academy training provided by an institution meeting POST requirements pursuant to chapter 590, RSMo;**

**(2) A maximum of eighteen hours of the training shall be provided through in-house training through the employing agency or through other nonPOST approved providers.**

**3. Specific training standards for the thirty-six hours of required training shall be determined by the corrections officer certification commission as established in section 217.105.**

**488.5340. There is created in section 217.106, RSMo, the corrections officer training fund. A surcharge of five dollars shall be assessed as costs in each court proceeding filed in any circuit court in the state, or in any municipal court in the state that employs a jailer as defined in chapter 221, RSMo, in all criminal cases in which the defendant is placed on supervised or unsupervised probation, including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when costs are to be paid by the state, county, or municipality. Such surcharge shall be collected and disbursed as provided in sections 488.010 to 488.020, and payable to the state treasury to the credit of the corrections officer training fund created in section 217.106, RSMo. Such surcharge shall be in addition to the court costs and fees and limits on such court costs and fees established by sections 66.110, RSMo, and 479.260, RSMo."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda moved that **House Amendment No. 2** be adopted.

Which motion was defeated.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 054

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Corcoran	Curls	Darrough	Daus
Dougherty	Fallert	Frame	George	Grill
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Yaeger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 021

Burnett	Chappelle-Nadal	Donnelly	El-Amin	Harris 23
Haywood	Johnson	Kraus	Meadows	Page
Parson	Richard	Robinson	Rucker	Spreng
Stevenson	Viebrock	Walton	Wright-Jones	Young
Zweifel				

VACANCIES: 002

On motion of Representative Deeken, **HB 2202, as amended**, was ordered perfected and printed.



**HCS#2 HB 1423**, relating to ignition interlock devices, was taken up by Representative St. Onge.

Representative Silvey offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute No. 2 for House Bill No. 1423, Section 302.525, Page 15, Line 51, by inserting immediately after said line the following:

"577.023. 1. For purposes of this section, unless the context clearly indicates otherwise:

(1) An "aggravated offender" is a person who:

(a) Has pleaded guilty to or has been found guilty of three or more intoxication-related traffic offenses; or

(b) Has pleaded guilty to or has been found guilty of one or more intoxication-related traffic offense and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024, RSMo; murder in the second degree under section 565.021, RSMo, where the underlying felony is an intoxication-related traffic offense; or assault in the second degree under subdivision (4) of subsection 1 of section 565.060, RSMo; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082, RSMo;

(2) A "chronic offender" is:

(a) A person who has pleaded guilty to or has been found guilty of four or more intoxication-related traffic offenses; or

(b) A person who has pleaded guilty to or has been found guilty of, on two or more separate occasions, any combination of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024, RSMo; murder in the second degree under section 565.021, RSMo, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060, RSMo; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082, RSMo; or

(c) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses and, in addition, any of the following: involuntary manslaughter under subdivision (2) or (3) of subsection 1 of section 565.024, RSMo; murder in the second degree under section 565.021, RSMo, where the underlying felony is an intoxication-related traffic offense; assault in the second degree under subdivision (4) of subsection 1 of section 565.060, RSMo; or assault of a law enforcement officer in the second degree under subdivision (4) of subsection 1 of section 565.082, RSMo;

(3) An "intoxication-related traffic offense" is driving while intoxicated, driving with excessive blood alcohol content, involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, RSMo, murder in the second degree under section 565.021, RSMo, where the underlying felony is an intoxication-related traffic offense, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, RSMo, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, RSMo, or driving under the influence of alcohol or drugs in violation of state law or a county or municipal ordinance[, where the defendant was represented by or waived the right to an attorney in writing];

(4) A "persistent offender" is one of the following:

(a) A person who has pleaded guilty to or has been found guilty of two or more intoxication-related traffic offenses;

(b) A person who has pleaded guilty to or has been found guilty of involuntary manslaughter pursuant to subdivision (2) or (3) of subsection 1 of section 565.024, RSMo, assault in the second degree pursuant to subdivision (4) of subsection 1 of section 565.060, RSMo, assault of a law enforcement officer in the second degree pursuant to subdivision (4) of subsection 1 of section 565.082, RSMo; and

(5) A "prior offender" is a person who has pleaded guilty to or has been found guilty of one intoxication-related traffic offense, where such prior offense occurred within five years of the occurrence of the intoxication-related traffic offense for which the person is charged.

2. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a prior offender shall be guilty of a class A misdemeanor.

3. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or 577.012 who is alleged and proved to be a persistent offender shall be guilty of a class D felony.

4. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be an aggravated offender shall be guilty of a class C felony.

5. Any person who pleads guilty to or is found guilty of a violation of section 577.010 or section 577.012 who is alleged and proved to be a chronic offender shall be guilty of a class B felony.

6. No state, county, or municipal court shall suspend the imposition of sentence as to a prior offender, persistent offender, aggravated offender, or chronic offender under this section nor sentence such person to pay a fine in lieu of a term of imprisonment, section 557.011, RSMo, to the contrary notwithstanding. No prior offender shall be eligible for parole or probation until he or she has served a minimum of five days imprisonment, unless as a condition of such parole or probation such person performs at least thirty days of community service under the supervision of the court in those jurisdictions which have a recognized program for community service. No persistent offender shall be eligible for parole or probation until he or she has served a minimum of ten days imprisonment, unless as a condition of such parole or probation such person performs at least sixty days of community service under the supervision of the court. No aggravated offender shall be eligible for parole or probation until he or she has served a minimum of sixty days imprisonment. No chronic offender shall be eligible for parole or probation until he or she has served a minimum of two years imprisonment.

7. The state, county, or municipal court shall find the defendant to be a prior offender, persistent offender, aggravated offender, or chronic offender if:

(1) The indictment or information, original or amended, or the information in lieu of an indictment pleads all essential facts warranting a finding that the defendant is a prior offender or persistent offender; and

(2) Evidence is introduced that establishes sufficient facts pleaded to warrant a finding beyond a reasonable doubt the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender; and

(3) The court makes findings of fact that warrant a finding beyond a reasonable doubt by the court that the defendant is a prior offender, persistent offender, aggravated offender, or chronic offender.

8. In a jury trial, the facts shall be pleaded, established and found prior to submission to the jury outside of its hearing.

9. In a trial without a jury or upon a plea of guilty, the court may defer the proof in findings of such facts to a later time, but prior to sentencing.

10. The defendant shall be accorded full rights of confrontation and cross-examination, with the opportunity to present evidence, at such hearings.

11. The defendant may waive proof of the facts alleged.

12. Nothing in this section shall prevent the use of presentence investigations or commitments.

13. At the sentencing hearing both the state, county, or municipality and the defendant shall be permitted to present additional information bearing on the issue of sentence.

14. The pleas or findings of guilty shall be prior to the date of commission of the present offense.

15. The court shall not instruct the jury as to the range of punishment or allow the jury, upon a finding of guilty, to assess and declare the punishment as part of its verdict in cases of prior offenders, persistent offenders, aggravated offenders, or chronic offenders.

16. Evidence of a prior [convictions] **plea of guilty or finding of guilty in an intoxication-related traffic offense** shall be heard and determined by the trial court out of the hearing of the jury prior to the submission of the case to the jury, and shall include but not be limited to evidence of convictions received by a search of the records of the Missouri uniform law enforcement system maintained by the Missouri state highway patrol. After hearing the evidence, the court shall enter its findings thereon. [A conviction of a violation of a municipal or county ordinance in a county or municipal court for driving while intoxicated or a conviction or] A plea of guilty or a finding of guilty followed by a **fine, incarceration, a suspended imposition of sentence, suspended execution of sentence, probation or parole or any combination thereof in any intoxication-related traffic offense in a state, county, or municipal court, or any combination thereof**, shall be treated as a prior [conviction] **plea of guilty or finding of guilty for purposes of this section.**"; and

Further amend said substitute, Section B, Page 20, Line 2, by inserting immediately after said line the following:

"Section C. Because immediate action is necessary to rectify a recent Supreme Court ruling which held that a defendant's prior guilty plea and suspended imposition of sentence in municipal court could not be used to enhance the punishment for the defendant's new intoxication-related traffic offense, section 577.023 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 577.023 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 1** was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grisamore	Guest	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 005

Burnett	Hughes	Talboy	Vogt	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 019

Chappelle-Nadal	Donnelly	El-Amin	Grill	Harris 23
Haywood	Hobbs	Johnson	Kraus	Lowe 44
Meadows	Page	Robinson	Salva	Spreng
Viebrock	Wildberger	Young	Zweifel	

VACANCIES: 002

On motion of Representative St. Onge, **HCS#2 HB 1423, as amended**, was adopted.

On motion of Representative St. Onge, **HCS#2 HB 1423, as amended**, was ordered perfected and printed.

**HCS HB 1704**, relating to grants for small schools, was taken up by Representative Wallace.

On motion of Representative Wallace, **HCS HB 1704** was adopted.

On motion of Representative Wallace, **HCS HB 1704** was ordered perfected and printed.

**HB 2078**, relating to driver's licenses, was taken up by Representative Hubbard.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cox	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kingery	Lembke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 052

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Curls	Darrough	Daus	Fallert
Frame	George	Grill	Harris 110	Hodges
Holsman	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker 25	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cunningham 145	Donnelly	El-Amin	Harris 23	Haywood
Hobbs	Johnson	Kelly	Kraus	Lipke
Low 39	Lowe 44	Page	Robinson	Schneider
Spreng	Young	Zweifel		

VACANCIES: 002

On motion of Representative Hubbard, **HB 2078** was ordered perfected and printed.

**HCS HB 2260**, relating to qualified research expenses credit, was taken up by Representative Storch.

Representative Storch offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 2260, Page 2, Section 620.1039, Line 42, by changing the word "1996" to "**2009**"; and

Further amend, Line 42, by changing "1999" to "**2015**"; and

Further amend, Section 620.1039, Line 43, by changing "2001" to "**2017**".

On motion of Representative Storch, **House Amendment No. 1** was adopted.

Representative Wasson offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 2260, Section 620.1039, Page 1, Line 8, by inserting after the words, "**plant genomics products**", the words, "**diagnostic and therapeutic medical devices**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 2** was adopted.

Representative Robb offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for House Bill No. 2260, Section 620.1039, Page 3, Line 70, by inserting after all of said line the following:

"620.1220. The office of the Missouri film commission [shall] **may** be located in Jefferson City and shall replace any state agency, division or staff which, on August 28, 1996, sections 620.1200 to 620.1240, provides services to the film industry or is organized to promote film production in Missouri. The department of economic development may transfer staff from any agency replaced by the office of the Missouri film commission to this office."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Robb, **House Amendment No. 3** was adopted.

On motion of Representative Storch, **HCS HB 2260, as amended**, was adopted.

On motion of Representative Storch, **HCS HB 2260, as amended**, was ordered perfected and printed.

**HCS HB 1990**, relating to health care services, was taken up by Representative Wilson (130).

Representative Wilson (130) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1990, Section 191.890, Page 3, Line 52, by inserting after all of said line the following:

“354.618. 1. A health carrier shall be required to offer as an additional health plan, an open referral health plan whenever it markets a gatekeeper group plan as an exclusive or full replacement health plan offering to a group contract holder:

(1) In the case of group health plans offered to employers of fifty or fewer employees, the decision to accept or reject the additional open referral plan offering shall be made by the group contract holder. For health plans marketed to employers of over fifty employees, the decision to accept or reject shall be made by the employee;

(2) Contracts currently in existence shall offer the additional open referral health plan at the next annual renewal after August 28, 1997; however, multiyear group contracts need not comply until the expiration of their current multiyear term unless the group contract holder elects to comply before that time;

(3) If an employer provides more than one health plan to its employees and at least one is an open referral plan, then all health benefit plans offered by such employer shall be exempt from the requirements of this section.

2. For the purposes of this act, the following terms shall mean:

(1) "Open referral plan", a plan in which the enrollee is allowed to obtain treatment for covered benefits without a referral from a primary care physician from any person licensed to provide such treatment;

(2) "Gatekeeper group plan", a plan in which the enrollee is required to obtain a referral from a primary care professional in order to access specialty care.

3. Any health benefit plan provided pursuant to the Medicaid program shall be exempt from the requirements of this section.

4. A health carrier shall have a procedure by which a female enrollee may seek the health care services of an obstetrician/gynecologist at least once a year without first obtaining prior approval from the enrollee's primary care provider if the benefits are covered under the enrollee's health benefit plan, and the obstetrician/gynecologist is a member of the health carrier's network. In no event shall a health carrier be required to permit an enrollee to have health care services delivered by a nonparticipating obstetrician/gynecologist. An obstetrician/gynecologist who delivers health care services directly to an enrollee shall report such visit and health care services provided to the enrollee's primary care provider. A health carrier may require an enrollee to obtain a referral from the primary care physician, if such enrollee requires more than one annual visit with an obstetrician/gynecologist.

[5. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among persons duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, RSMo, or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334, RSMo.]

[6]5. Nothing contained in this section shall be construed as to require a health carrier to pay for health care services not provided for in the terms of a health benefit plan.

[7]6. Any health carrier, which is sponsored by a federally qualified health center and is presently in existence and which has been in existence for less than three years shall be exempt from this section for a period not to exceed two years from August 28, 1997.

[8]7. A health carrier shall not be required to offer the direct access rider for a group contract holder's health benefit plan if the health benefit plan is being provided pursuant to the terms of a collective bargaining agreement with a labor union, in accordance with federal law and the labor union has declined such option on behalf of its members.

[9]8. Nothing in this act shall be construed to preempt the employer's right to select the health care provider pursuant to section 287.140, RSMo, in a case where an employee incurs a work-related injury covered by the provisions of chapter 287, RSMo.

[10]9. Nothing contained in this act shall apply to certified managed care organizations while providing medical treatment to injured employees entitled to receive health benefits under chapter 287, RSMo, pursuant to contractual arrangements with employers, or their insurers, under section 287.135, RSMo.

**354.619. 1. Except for good cause, a health carrier shall be prohibited either directly, or indirectly through intermediaries, from discriminating between eye care providers when selecting among providers of health services for enrollment in the network and when referring enrollees for health services provided within the scope of those professional licenses and when reimbursing amounts for covered services among persons duly licensed to provide such services. For the purposes of this section, an eye care provider may be either an optometrist licensed pursuant to chapter 336, RSMo, or a physician who specializes in ophthalmologic medicine, licensed pursuant to chapter 334, RSMo.**

**2. A health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network solely on the grounds that:**

**(1) not all eye care providers in a group practice agree to participate in the health carrier's provider network; or**

**(2) the provider is not a retailer of frames and corrective lenses.**

**3. If optometric services are being provided in connection to a treatment plan for corrective surgery, then a health carrier shall not directly or indirectly through intermediaries refuse to select an eye care provider for the network, refuse to refer an enroll for health services provided within the scope of an eye care provider's license or reimburse for covered services in a discriminatory manner.**

**4. A health carrier may not require a licensed optometrist who provides basic medical eye care to participate solely through an intermediary if that health carrier permits ophthalmologists to contract directly with the health carrier."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wilson (130), **House Amendment No. 1** was adopted.

Representative Ervin offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1990, Section 191.890, Page 3, Line 52, by inserting after all of said section the following:

"376.966. 1. No employee shall involuntarily lose his or her group coverage by decision of his or her employer on the grounds that such employee may subsequently enroll in the pool. The department shall have authority to promulgate rules and regulations to enforce this subsection.

2. The following individual persons shall be eligible for coverage under the pool if they are and continue to be residents of this state:

(1) An individual person who provides evidence of the following:

(a) A notice of rejection or refusal to issue substantially similar health insurance for health reasons by at least two insurers; or

(b) A refusal by an insurer to issue health insurance except at a rate exceeding the plan rate for substantially similar health insurance;

(2) A federally defined eligible individual who has not experienced a significant break in coverage;

(3) A trade act eligible individual;  
(4) Each resident dependent of a person who is eligible for plan coverage;  
(5) Any person, regardless of age, that can be claimed as a dependent of a trade act eligible individual on such trade act eligible individual's tax filing;

(6) Any person whose health insurance coverage is involuntarily terminated for any reason other than nonpayment of premium or fraud, and who is not otherwise ineligible under subdivision (4) of subsection 3 of this section. If application for pool coverage is made not later than sixty-three days after the involuntary termination, the effective date of the coverage shall be the date of termination of the previous coverage;

(7) Any person whose premiums for health insurance coverage have increased above the rate established by the board under paragraph (a) of subdivision (1) of subsection 3 of this section;

(8) Any person currently insured who would have qualified as a federally defined eligible individual or a trade act eligible individual between the effective date of the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191 and the effective date of this act;

**(9) Any person who has exhausted his or her maximum in benefits from a health insurer.**

3. The following individual persons shall not be eligible for coverage under the pool:

(1) Persons who have, on the date of issue of coverage by the pool, or obtain coverage under health insurance or an insurance arrangement substantially similar to or more comprehensive than a plan policy, or would be eligible to have coverage if the person elected to obtain it, except that:

(a) This exclusion shall not apply to a person who has such coverage but whose premiums have increased to [one hundred fifty percent to] **beyond the eligibility limit set by the board. The board shall not set the eligibility limit in excess of** two hundred percent of rates established by the board as applicable for individual standard risks[. After December 31, 2009, this exclusion shall not apply to a person who has such coverage but whose premiums have increased to three hundred percent or more of rates established by the board as applicable for individual standard risks];

(b) A person may maintain other coverage for the period of time the person is satisfying any preexisting condition waiting period under a pool policy; and

(c) A person may maintain plan coverage for the period of time the person is satisfying a preexisting condition waiting period under another health insurance policy intended to replace the pool policy;

(2) Any person who is at the time of pool application receiving health care benefits under section 208.151, RSMo;

(3) Any person having terminated coverage in the pool unless twelve months have elapsed since such termination, unless such person is a federally defined eligible individual;

(4) Any person on whose behalf the pool has paid out [one] **two** million dollars in benefits;

(5) Inmates or residents of public institutions, unless such person is a federally defined eligible individual, and persons eligible for public programs;

(6) Any person whose medical condition which precludes other insurance coverage is directly due to alcohol or drug abuse or self-inflicted injury, unless such person is a federally defined eligible individual or a trade act eligible individual;

(7) Any person who is eligible for Medicare coverage.

4. Any person who ceases to meet the eligibility requirements of this section may be terminated at the end of such person's policy period.

5. If an insurer issues one or more of the following or takes any other action based wholly or partially on medical underwriting considerations which is likely to render any person eligible for pool coverage, the insurer shall notify all persons affected of the existence of the pool, as well as the eligibility requirements and methods of applying for pool coverage:

(1) A notice of rejection or cancellation of coverage;

(2) A notice of reduction or limitation of coverage, including restrictive riders, if the effect of the reduction or limitation is to substantially reduce coverage compared to the coverage available to a person considered a standard risk for the type of coverage provided by the plan.

**6. When an insurer determines an insured has exhausted eighty-five percent of his or her total lifetime benefits, the insurer shall notify any affected person of the existence of the pool, of the person's eligibility for the pool when all lifetime benefits have been exhausted, and of methods of applying for pool coverage. When any affected person has exhausted one hundred percent of his or her total lifetime benefits, the insurer shall notify the affected person of his or her eligibility for pool coverage and of the methods of applying for such coverage. The insurer shall provide a copy of such notice to the pool with the name and address of such affected person.**



376.986. 1. The pool shall offer major medical expense coverage to every person eligible for coverage under section 376.966 **and may offer other health plans that the board determines to be in the best interest of the individuals covered under the pool.** The coverage to be issued by the pool and its schedule of benefits, exclusions and other limitations, shall be established by the board with the advice and recommendations of the pool members, and such plan of pool coverage shall be submitted to the director for approval. The pool shall also offer coverage for drugs and supplies requiring a medical prescription and coverage for patient education services, to be provided at the direction of a physician, encompassing the provision of information, therapy, programs, or other services on an inpatient or outpatient basis, designed to restrict, control, or otherwise cause remission of the covered condition, illness or defect.

2. In establishing the pool coverage the board shall take into consideration the levels of health insurance provided in this state and medical economic factors as may be deemed appropriate, and shall promulgate benefit levels, deductibles, coinsurance factors, exclusions and limitations determined to be generally reflective of and commensurate with health insurance provided through a representative number of insurers in this state.

3. The pool shall establish premium rates for pool coverage as provided in [subsection 4] **subsections 4 and 5** of this section. Separate schedules of premium rates based on age, sex and geographical location may apply for individual risks. Premium rates and schedules shall be submitted to the director for approval prior to use.

4. The pool, with the assistance of the director, shall determine the standard risk rate by considering the premium rates charged by other insurers offering health insurance coverage to individuals. The standard risk rate shall be established using reasonable actuarial techniques and shall reflect anticipated experience and expenses for such coverage. [Initial rates for pool coverage shall not be less than one hundred twenty-five percent of rates established as applicable for individual standard risks.] Subject to the limits provided in this subsection, [subsequent] rates shall be established **in accordance with the premium rate schedule in subsection 5 of this section** to provide fully for the expected costs of claims including recovery of prior losses, expenses of operation, investment income of claim reserves, and any other cost factors subject to the limitations described herein. In no event shall pool rates exceed the following:

(1) For federally defined eligible individuals and trade act eligible individuals, rates shall be equal to the percent of rates applicable to individual standard risks actuarially determined to be sufficient to recover the sum of the cost of benefits paid under the pool for federally defined and trade act eligible individuals plus the proportion of the pool's administrative expense applicable to federally defined and trade act eligible individuals enrolled for pool coverage, provided that such rates shall not exceed [one hundred fifty percent of rates applicable to individual standard risks] **the limits established in subsection 5 of this section; and**

(2) For all other individuals covered under the pool, [one hundred fifty percent of rates] **the rate limits established under subsection 5 of this section** applicable to individual standard risks.

5. **Premium rates for pool coverage shall be established in accordance with the following schedule:**

(1) **For individuals with incomes of less than three hundred percent of the federal poverty level, a premium rate equal to the standard risk rates;**

(2) **For individuals with incomes of three hundred percent of the federal poverty level or more, a sliding scale premium rate based on income which is between one hundred and one hundred twenty-five percent of the standard risk rates established by rule.**

6. Pool coverage established pursuant to this section shall provide an appropriate high and low deductible to be selected by the pool applicant. The deductibles and coinsurance factors may be adjusted annually in accordance with the medical component of the consumer price index.

[6.] 7. Pool coverage shall exclude charges or expenses incurred during the first [twelve] **six** months following the effective date of coverage as to any condition for which medical advice, care or treatment was recommended or received as to such condition during the six-month period immediately preceding the effective date of coverage. Such preexisting condition exclusions shall be waived to the extent to which similar exclusions, if any, have been satisfied under any prior health insurance coverage which was involuntarily terminated, if application for pool coverage is made not later than sixty-three days following such involuntary termination and, in such case, coverage in the pool shall be effective from the date on which such prior coverage was terminated.

[7.] 8. No preexisting condition exclusion shall be applied to the following:

(1) A federally defined eligible individual who has not experienced a significant gap in coverage; or  
 (2) A trade act eligible individual who maintained creditable health insurance coverage for an aggregate period of three months prior to loss of employment and who has not experienced a significant gap in coverage since that time.

[8.] 9. Benefits otherwise payable under pool coverage shall be reduced by all amounts paid or payable through any other health insurance, or insurance arrangement, and by all hospital and medical expense benefits paid or payable under any workers' compensation coverage, automobile medical payment or liability insurance whether provided on the basis of fault or nonfault, and by any hospital or medical benefits paid or payable under or provided pursuant to any state or federal law or program except Medicaid. The insurer or the pool shall have a cause of action against an eligible

person for the recovery of the amount of benefits paid which are not for covered expenses. Benefits due from the pool may be reduced or refused as a setoff against any amount recoverable under this subsection.

[9.] **10.** Medical expenses shall include expenses for comparable benefits for those who rely solely on spiritual means through prayer for healing."; and

Further amend said bill, Section 376.1373, Page 4, Line 69, by inserting after all of said section the following:

"[376.990. The board of directors of the state health insurance pool is hereby directed to conduct a study regarding the financing of the state health insurance pool. Such study shall include, but not be limited to, research and findings of how other states finance their state high-risk pools. The study shall consider alternative assessment approaches to the current assessment method employed in section 376.975. In addition to studying alternative financing mechanisms employed by other state high-risk pools, the board shall explore the ramifications of eliminating or reducing a carrier's ability to offset their assessments against their premium tax liability. The polestar of the study shall be establishing a stable funding source for the Missouri state health insurance pool while providing adequate health insurance coverage to Missouri's uninsurable population. The board of directors of the state health insurance pool shall submit a report of its findings and recommendations to each member of the general assembly no later than January 1, 2008.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS HB 1990, as amended, with House Amendment No. 2, pending,** was laid over.

### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HCS HB 1516** - Fiscal Review (Fiscal Note)  
**HCS HB 1700** - Fiscal Review (Fiscal Note)  
**HCS HB 1704** - Fiscal Review (Fiscal Note)  
**HCS HB 2059** - Fiscal Review (Fiscal Note)  
**HCS HBs 2062 & 1518** - Fiscal Review (Fiscal Note)  
**HCS HB 2114** - Fiscal Review (Fiscal Note)  
**HCS HB 2260** - Fiscal Review (Fiscal Note)  
**HCS HB 2279** - Fiscal Review (Fiscal Note)  
**HB 2556** - Special Committee on Urban Issues

### **COMMITTEE REPORTS**

**Committee on Corrections and Public Institutions**, Chairman Kelly reporting:

Mr. Speaker: Your Committee on Corrections and Public Institutions, to which was referred **SCS SB 1157**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **HB 1468**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SBs 714, 933, 899 & 758**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Elections**, Chairman May reporting:

Mr. Speaker: Your Committee on Elections, to which was returned **HCS SB 1038**, begs leave to report it has examined the same and recommends that **SB 1038 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 976**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Energy and Environment**, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **SB 1116**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Financial Institutions**, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was returned **HCS HBs 1809 & 2173**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 2420**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 2494**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **HB 2421**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Small Business**, Chairman Ervin reporting:

Mr. Speaker: Your Special Committee on Small Business, to which was referred **HCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

HOUSE CONCURRENT RESOLUTION NO. 20

WHEREAS, Missouri is pleased to be home to the six-state regional Taipei Economic and Cultural Office in Kansas City; and

WHEREAS, Missouri has demonstrated its commitment to trade with Taiwan by maintaining a Trade Office in Taipei since 1990; and

WHEREAS, the people of the State of Missouri recognize the economic achievements and democratic progression of Taiwan and extend a hand of friendship to its citizens in honor of their contributions to our economy; and

WHEREAS, in view of Taiwan's aspiration and capability to join in the global efforts to eliminate epidemic diseases and to increase the awareness of protecting the environment and maintaining a sustainable development of this planet, Taiwan should be accorded access to certain international organizations, such as the United Nations and World Health Organization, to facilitate its contribution to the global efforts:

NOW, THEREFORE, BE IT RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby support Taiwan in its efforts to play a constructive role in the International Community; and

BE IT FURTHER RESOLVED that the Chief Clerk of the Missouri House of Representatives be instructed to prepare properly inscribed copies of this resolution for the United States Secretary of State, the Taipei Economic Cultural Office in Kansas City, and each member of the Missouri Congressional delegation.

Mr. Speaker: Your Special Committee on Small Business, to which was referred **HB 2555**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Small Business, to which was referred **SCR 40**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Workforce Development and Workplace Safety**, Chairman Hunter reporting:

Mr. Speaker: Your Special Committee on Workforce Development and Workplace Safety, to which was referred **SCS SB 901**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Transportation**, Chairman St. Onge reporting:

Mr. Speaker: Your Committee on Transportation, to which was referred **SCS SBs 930 & 947**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 34**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 35**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1599**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1673**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2330**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2365**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2458**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2508**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 863**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 925**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 939**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1140**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 1288**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **SENATE CONSENT BILLS**

Pursuant to Rule 45(f), the following bills have remained on the Senate Bills for Third Reading Consent Calendar for five legislative days without any objection, and all committee substitutes and committee amendments thereto adopted by consent: **HCS SB 723, HCS SB 733, HCS SCS SB 760, HCS SB 797, SB 801, HCS SB 820, SCS SB 850, HCS SB 856, SB 896, SB 928, SB 936, HCS SB 943, SCS SB 951, SB 956, HCS SB 978, SB 979, SB 980, SB 991, SB 999, HCS SB 1002, HCS SCS SB 1008, SCS SB 1009, SB 1016, HCS SCS SB 1033, HCS SCS SB 1039, SCS SB 1044, SB 1061, SB 1073, HCS SCS SB 1131, HCS SB 1135, SCS SB 1150, HCS SCS SBs 1153, 1154, 1155 & 1156, SCS SB 1168, SB 1177, SB 1187, SB 1190 and SCS SB 1235.**

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, April 24, 2008.

### **CORRECTIONS TO THE HOUSE JOURNAL**

Correct House Journal, Fifty-sixth Day, Monday, April 21, 2008, Page 1016, Line 8, by inserting immediately after said line the following:

#### **"SENATE CONSENT BILL**

Pursuant to Rule 45(f), the following bill has remained on the Senate Bills for Third Reading Consent Calendar for five legislative days without any objection, and all committee substitutes and committee amendments thereto adopted by consent: **HCS SCS SBs 753, 728, 906 & 1026."**

Correct House Journal, Fifty-seventh Day, Tuesday, April 22, 2008, Page 1077, Line 17, by deleting "**HCS SB 885**", and inserting in lieu thereof "**SB 885**".

## COMMITTEE MEETINGS

### CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, April 24, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

### CONSERVATION AND NATURAL RESOURCES

Thursday, April 24, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 2460

### FISCAL REVIEW

Thursday, April 24, 2008, 8:30 a.m. Hearing Room 1.

Any House bills or Senate bills that are presented to this committee.

### JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, April 28, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports follow-up.

Some portions of the meeting may be closed pursuant to Section 610.021.

### RULES - PURSUANT TO RULE 25(21)(f)

Thursday, April 24, 2008, 9:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: HCS SCS SBs 1034 & 802, SB 748, HCS SS SCS SB 931, HB 2404, HCS HB 2354, HCS HB 1794

### SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, April 29, 2008, Hearing Room 3 upon morning recess.

Executive session only.

### SPECIAL COMMITTEE ON HOMELAND SECURITY

Thursday, April 24, 2008, 8:15 a.m. Hearing Room 5.

Informational meeting.

Public hearing to be held on: HB 2455

### SPECIAL COMMITTEE ON IMMIGRATION

Thursday, April 24, 2008, 9:00 a.m. House Chamber side gallery.

Executive session will be held.

**SPECIAL COMMITTEE ON JOB CREATION AND ECONOMIC DEVELOPMENT**

Thursday, April 24, 2008, 8:30 a.m. Hearing Room 7.

Executive session may follow. AMENDED.

Public hearing to be held on: SS SCS SB 718

**WAYS AND MEANS**

Thursday, April 24, 2008, 9:00 a.m. Hearing Room 3.

Executive session. CANCELLED.

**HOUSE CALENDAR**

FIFTY-NINTH DAY, THURSDAY, APRIL 24, 2008

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HB 1957 - Hughes
- 6 HB 2144 - Whorton
- 7 HB 1535 - Deeken
- 8 HB 1517 - Cox
- 9 HCS HB 2112 - Emery
- 10 HB 1372 - McGhee
- 11 HCS HB 1590 - Munzlinger
- 12 HCS HB 1504 - Walton
- 13 HCS HB 2156 - Grill
- 14 HCS HB 2159 - Grill
- 15 HB 1562 - LeVota
- 16 HCS HB 2239 - Stevenson
- 17 HCS HB 1438 - Kelly
- 18 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 19 HCS HB 2110 - Dixon
- 20 HCS HB 1723 - Franz
- 21 HCS HB 1745 - Robb
- 22 HB 1764 - Parson
- 23 HB 1871 - Deeken
- 24 HB 1934 - May
- 25 HCS HB 1974 - Schlottach
- 26 HB 2207 - Hoskins
- 27 HB 2514 - Weter
- 28 HB 1425 - Munzlinger
- 29 HCS HB 1599 - Sater
- 30 HB 1673 - Parson
- 31 HCS HB 1839 - Franz
- 32 HCS HB 1857 - Schaaf



- 33 HB 1954 - Dixon
- 34 HB 2129 - Baker (123)
- 35 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 36 HCS HB 2282 - Ervin
- 37 HCS HB 2330 - Brandom
- 38 HB 2343 - Wilson (130)
- 39 HB 2365 - Pratt
- 40 HB 2429 - Hunter
- 41 HB 2458 - Jones (89)
- 42 HCS HB 2508 - Ruestman

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

#### **HOUSE BILLS FOR THIRD READING - APPROPRIATIONS**

- 1 HCS HB 2016 - Icet
- 2 HCS HB 2023 - Icet

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2250, E.C. - Sutherland
- 3 HCS HB 1626 - Emery
- 4 HCS HBs 1788 & 1882 - Day
- 5 HCS HB 1813 - Dougherty
- 6 HCS HB 2060 - Deeken
- 7 HCS HB 1700, (Fiscal Review 4-23-08) - Wasson
- 8 HB 1756 - Walton
- 9 HCS HB 1383 - Cox
- 10 HCS HB 2059, (Fiscal Review 4-23-08) - Wilson (130)
- 11 HCS HBs 2062 & 1518, (Fiscal Review 4-23-08), E.C. - Pearce
- 12 HB 1851 - Thomson
- 13 HB 2266 - Jones (89)
- 14 HCS HB 2114, (Fiscal Review 4-23-08) - Zimmerman
- 15 HCS HB 2279, (Fiscal Review 4-23-08) - Wright
- 16 HCS HB 2034 - Munzlinger
- 17 HCS HB 1516, (Fiscal Review 4-23-08) - Bruns
- 18 HB 2590 - Moore
- 19 HB 2202 - Deeken
- 20 HCS#2 HB 1423, E.C. - St. Onge
- 21 HCS HB 1704, (Fiscal Review 4-23-08) - Wallace
- 22 HB 2078 - Hubbard
- 23 HCS HB 2260, (Fiscal Review 4-23-08) - Storch

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 15, (4-10-08, Pages 888-889) - Kuessner
- 3 HCS HCRs 43 & 46, (4-09-08, Pages 860-861) - Funderburk
- 4 HCR 34, (4-17-08, Pages 993-994) - Sutherland
- 5 HCR 35, (4-17-08, Pages 994-995) - Sutherland

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke

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- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 SS SCS SB 944, E.C. - Robb
- 4 SCS SB 967, E.C. - Kingery
- 5 HCS SB 1010 - Stevenson
- 6 SCS SB 806 - Meadows
- 7 HCS SCS SB 830 - Day
- 8 HCS SB 932, (Fiscal Review 4-17-08) - Cooper (120)
- 9 SB 955 - Wildberger
- 10 HCS SB 958 - Schad
- 11 SB 970 - May
- 12 SB 1068 - Sater
- 13 HCS SB 1074 - Smith (14)
- 14 SCS SB 1105 - Faith
- 15 HCS SB 1175, (Fiscal Review 4-17-08) - Cox
- 16 HCS SB 841, (Fiscal Review 4-22-08) - St. Onge

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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FIFTY-NINTH DAY, THURSDAY, APRIL 24, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

(We are at the end of Administrative Professionals Week)

Almighty God, we praise and thank You for the grace and help of the Holy Spirit, which comes to us through the goodness and graciousness of those who assist us. Thank You for those who assist us, are our aides, do the secretarial work, those who have the necessary technical skills. We ask Your blessing upon them for doing what we delegate, remembering what we forget, making us look good.

As we complete this week's work in this Assembly, help us to do so with great justice, fairness and courage.

As we leave this Assembly for the weekend, give us peaceful rest we need, and help us to accomplish efficiently the remaining work that must be done.

To You, Almighty God, be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The AGAPE Boarding School Choir of Stockton, Missouri, sang the hymn "Amazing Grace".

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Samantha Bess, Sean Branham, Madison Mertens, Angela Vorwerk, Griffin Kennard, Alison Pinnock, Christine Boschert, Jonathon Newcomb, Samantha Hawken, Andrew St. John, Hannah Crawford, Sabrina Fowler, Baunner Crossno, Peyton Curtis, Martin Thompson, Charlie Laird, Derek Schrick, Kim Reichert, Riley Buckler, Faith Ross, Lacey Boze, Joseph Clark, Matthew McCully, Madalyn Weems, Sarah Mary Madeline Grisamore, Esther Hannah Grace Grisamore, Angela Elizabeth Grisamore, Parker Lipke, Layton Lipke, Kate Tyler Lipke, Luke Salva, Eva Lehane, Samantha Nolte, Faith Ross, Lacey Boze, Joseph Clark, Matthew McCully, Jaime Adams, Brett Collins, Ashley Garrett, Taylor Gray, Frankie Hayes, Sam Mave, Drew Orscheln, Kelsey Rogers, Chandler Schubbe, Emily Thaemert-Holliday, Cara Walter, Cody Wilson, Emily Carlisle, Megan Cochran, Nathan Ferber, Michele Guarnieri, Jenna Hebert, Dakotah Ingram, Anna Richter and Taylor Schaible.

### **SPECIAL RECOGNITION**

Roy W. Kerns was introduced by Representative Denison and recognized as an Outstanding Missourian.

The Jefferson High School Eagles Boys Basketball Team was introduced by Representative Thomson and recognized for attaining the 2007-2008 Class 1 state championship.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2189 through House Resolution No. 2252

### **PERFECTION OF HOUSE BILL**

**HB 1957**, relating to duty-free zones, was taken up by Representative Hughes.

**HB 1957** was laid over.

The Journal of the fifty-eighth day was approved as corrected.

### **COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1516** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1700** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 1704** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2059**, (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HBs 2062 & 1518** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2114** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2279** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 841** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## PERFECTION OF HOUSE BILL

**HB 1957**, relating to duty-free zones, was again taken up by Representative Hughes.

On motion of Representative Hughes, **HB 1957** was ordered perfected and printed by the following vote:

AYES: 120

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Casey	Cooper 155	Corcoran
Cox	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dixon
Donnelly	Dougherty	Dusenberg	Fallert	Fares
Flook	Frame	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Loehner	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Parson	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Weter	Wildberger	Wilson 130	Witte	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 020

Bruns	Cunningham 145	Dethrow	Emery	Ervin
Fisher	Franz	Lipke	Munzlinger	Pearce
Richard	Sander	Schad	Schlottach	Viebrock
Wasson	Wells	Whorton	Wilson 119	Wood

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Bland	Brown 50	Burnett	Chappelle-Nadal
Cooper 120	El-Amin	Faith	Harris 23	Haywood
Hunter	Johnson	Kraus	Liese	Low 39
Meadows	Page	Rucker	Spreng	Wright 159
Young				

VACANCIES: 002

**THIRD READING OF HOUSE BILLS**

Representative Hobbs assumed the Chair.

**HCS HB 1626**, relating to assistance for illegal immigrants, was taken up by Representative Emery.

On motion of Representative Emery, **HCS HB 1626** was read the third time and passed by the following vote:

AYES: 127

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zweifel	Mr Speaker			

NOES: 020

Bland	Brown 50	Burnett	Curls	Daus
El-Amin	George	Hubbard	Hughes	Lowe 44
Nasheed	Oxford	Talboy	Villa	Vogt
Walsh	Walton	Wright-Jones	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 014

Chappelle-Nadal	Cooper 120	Flook	Harris 23	Haywood
Johnson	Kraus	Low 39	Meadows	Meiners
Page	Rucker	Spreng	Young	

VACANCIES: 002

Representative Hobbs declared the bill passed.

**HCS HB 1383**, relating to the Business Premises Safety Act, was taken up by Representative Cox.

On motion of Representative Cox, **HCS HB 1383** was read the third time and passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 009

Burnett	Daus	Hughes	Kratky	Lowe 44
Oxford	Talboy	Vogt	Yaeger	

PRESENT: 000

ABSENT WITH LEAVE: 014

Chappelle-Nadal	Cooper 120	Guest	Haywood	Johnson
Kraus	Low 39	Meadows	Meiners	Nolte
Page	Self	Spreng	Young	

VACANCIES: 002

Representative Hobbs declared the bill passed.



**HB 1851**, relating to minimum wage, was taken up by Representative Thomson.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Nasheed
Norr	Oxford	Quinn 9	Robinson	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 012

Chappelle-Nadal	Haywood	Johnson	Kasten	Kraus
Low 39	Meiners	Page	Parson	Spreng
Stevenson	Young			

VACANCIES: 002

Representative Thomson moved that **HB 1851** be read the third time and passed.

Which motion was defeated by the following vote:

AYES: 068

Brandom	Bruns	Cooper 120	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Grisamore	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kelly	Kingery	Lipke	Loehner
May	Moore	Munzlinger	Muschany	Nieves
Onder	Parkinson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Smith 14	Smith 150	Stream
Sutherland	Thomson	Tilley	Viebrock	Wallace
Wasson	Wells	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 082

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Bringer	Brown 30	Brown 50	Burnett
Casey	Cooper 155	Corcoran	Curls	Darrrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	Funderburk	George	Grill	Guest
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Kasten	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lowe 44	Marsh	McClanahan	McGhee	Meadows
Nance	Nasheed	Nolte	Norr	Oxford
Portwood	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	St. Onge
Storch	Swinger	Talboy	Threlkeld	Todd
Villa	Vogt	Walsh	Walton	Weter
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 011

Chappelle-Nadal	Haywood	Johnson	Kraus	Low 39
Meiners	Page	Parson	Spreng	Stevenson
Young				

VACANCIES: 002

**HCS HB 2059**, relating to the Teachers and School Districts Act, was taken up by Representative Wilson (130).

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Chappelle-Nadal	Haywood	Hughes	Johnson
Kraus	Meiners	Page	Schneider	Spreng
Wasson	Young			

VACANCIES: 002

On motion of Representative Wilson (130), **HCS HB 2059** was read the third time and passed by the following vote:

AYES: 083

Aull	Baker 123	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Lipke
Loehner	Marsh	May	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Smith 14
Smith 150	Stevenson	Stream	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 067

Baker 25	Bland	Bringer	Brown 30	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	Funderburk	George	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Low 39	Lowe 44
McClanahan	McGhee	Meadows	Nasheed	Norr
Oxford	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Silvey	Skaggs	St. Onge	Storch	Sutherland
Talboy	Todd	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Chappelle-Nadal	Haywood	Johnson	Kraus
Meiners	Page	Schneider	Spreng	Swinger
Young				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 2034**, relating to firearm ranges and hunting preserves, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **HCS HB 2034** was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 006

Curles	Daus	Low 39	Oxford	Vogt
Wright-Jones				

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Chappelle-Nadal	Corcoran	Haywood	Hunter
Johnson	Kraus	Lowe 44	Meiners	Page
Salva	Spreng	Whorton	Wildberger	Young
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### THIRD READING OF HOUSE BILLS - APPROPRIATIONS

**HCS HB 2016**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2016** was read the third time and passed by the following vote:

AYES: 105

Avery	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Lampe	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yates	Mr Speaker

NOES: 043

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Curls	Darrough	Daus	Donnelly
El-Amin	Fallert	Frame	George	Holsman
Komo	Kratky	Kuessner	LeVota	Liese
Low 39	McClanahan	Meadows	Nasheed	Oxford
Quinn 9	Roorda	Salva	Schieffer	Schoemehl
Shively	Skaggs	Storch	Talboy	Todd
Villa	Vogt	Walsh	Walton	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 013

Chappelle-Nadal	Corcoran	Haywood	Johnson	Kraus
Lowe 44	Meiners	Page	Robinson	Spreng
St. Onge	Wildberger	Young		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS HB 2023**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **HCS HB 2023** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Norr	Onder	Oxford	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Chappelle-Nadal	Cooper 120	Corcoran	Haywood	Johnson
Kraus	Lowe 44	Meiners	Nolte	Page
Robinson	Spreng	St. Onge	Wildberger	Young
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### THIRD READING OF HOUSE BILLS

**HCS HB 2250**, relating to the Show-Me Green Tax Holiday Act, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS HB 2250** was read the third time and passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 008

Daus	Fares	Kasten	Skaggs	Talboy
Villa	Vogt	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 015

Chappelle-Nadal	Corcoran	Haywood	Johnson	Kraus
Lowe 44	Meiners	Page	Robinson	Salva
Spreng	St. Onge	Wildberger	Young	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.



The emergency clause was adopted by the following vote:

AYES: 129

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Lampe	Lembke
Liese	Lipke	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 015

Brown 50	Burnett	Curls	Darrough	Daus
George	Hughes	Komo	Kuessner	LeVota
Roorda	Skaggs	Talboy	Vogt	Whorton

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Baker 25	Chappelle-Nadal	Corcoran	Haywood	Johnson
Kraus	Loehner	Lowe 44	Meiners	Page
Robinson	Spreng	St. Onge	Wildberger	Young
Zweifel				

VACANCIES: 002

Representative Nieves assumed the Chair.

**HCS HB 2279**, relating to utility regulation and scrap metal, was taken up by Representative Wright.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 055

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Nasheed	Norr	Oxford
Quinn 9	Robinson	Roorda	Scavuzzo	Schieffer
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 017

Chappelle-Nadal	Corcoran	Grill	Haywood	Johnson
Kraus	Lowe 44	Meiners	Page	Rucker
Schneider	Schoemehl	Spreng	St. Onge	Wildberger
Young	Zweifel			

VACANCIES: 002

On motion of Representative Wright, **HCS HB 2279** was read the third time and passed by the following vote:

AYES: 107

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Franz	Funderburk	Grisamore	Guest	Hobbs
Hodges	Hoskins	Hubbard	Hughes	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Lampe	Lembke
Liese	Loehner	Marsh	May	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Parkinson	Parson
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Walton	Wasson
Wells	Weter	Wilson 119	Wood	Wright 159
Yates	Mr Speaker			

NOES: 037

Baker 123	Bringer	Brown 30	Burnett	Daus
Donnelly	Ervin	Flook	Frame	George
Harris 23	Harris 110	Holsman	Kuessner	LeVota
Lipke	Low 39	McClanahan	McGhee	Norr
Oxford	Pearce	Quinn 9	Sander	Scavuzzo
Shively	Stevenson	Storch	Talboy	Villa
Vogt	Walsh	Whorton	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 016

Chappelle-Nadal	Corcoran	Grill	Haywood	Johnson
Kraus	Lowe 44	Meiners	Page	Schneider
Schoemehl	Spreng	St. Onge	Wildberger	Young
Zweifel				

VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HBs 1788 & 1882**, relating to a tax deduction for military pensions, was taken up by Representative Day.

On motion of Representative Day, **HCS HBs 1788 & 1882** was read the third time and passed by the following vote:

AYES: 131

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Flook
Frame	Franz	Funderburk	George	Grisamore
Guest	Harris 23	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 008

Daus	Harris 110	Kuessner	Low 39	Oxford
Talboy	Villa	Vogt		

PRESENT: 001

Fisher

ABSENT WITH LEAVE: 021

Chappelle-Nadal	Cooper 120	Corcoran	Grill	Haywood
Icet	Johnson	Kraus	Lowe 44	Meiners
Page	Salva	Schaaf	Schoemehl	Self
Spreng	St. Onge	Wildberger	Wright-Jones	Young
Zweifel				

VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HB 1813**, relating to a tax exemption for bingo, was taken up by Representative Dougherty.

On motion of Representative Dougherty, **HCS HB 1813** was read the third time and passed by the following vote:

AYES: 129

Aull	Avery	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 120	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grisamore	Guest	Harris 23
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 010

Baker 123	Bringer	Daus	Harris 110	Low 39
Oxford	Talboy	Villa	Vogt	Whorton

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 25	Chappelle-Nadal	Cooper 155	Corcoran	Grill
Haywood	Hunter	Johnson	Kraus	Lowe 44
Meiners	Page	Salva	Schaaf	Schad
Schoemehl	Spreng	St. Onge	Wildberger	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HB 2060**, relating to corrections employees' compensation, was taken up by Representative Deeken.

On motion of Representative Deeken, **HCS HB 2060** was read the third time and passed by the following vote:

AYES: 137

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Baker 25	Chappelle-Nadal	Cooper 120	Corcoran
El-Amin	Grill	Haywood	Johnson	Kraus
Lowe 44	Meiners	Page	Robinson	Salva
Schaaf	Schoemehl	Skaggs	Spreng	St. Onge
Wildberger	Wright-Jones	Young	Zweifel	

VACANCIES: 002

Representative Nieves declared the bill passed.

**HCS HB 1700**, relating to professional registration, was taken up by Representative Wasson.

On motion of Representative Wasson, **HCS HB 1700** was read the third time and passed by the following vote:

AYES: 129

Aull	Baker 123	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 006

Bringer	Burnett	George	Hughes	LeVota
Talboy				

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 025

Avery	Baker 25	Chappelle-Nadal	Corcoran	El-Amin
Grill	Haywood	Hunter	Johnson	Kraus
Lowe 44	Meiners	Page	Robinson	Salva
Sander	Schaaf	Schoemehl	Spreng	St. Onge
Walton	Wildberger	Wright-Jones	Young	Zweifel

VACANCIES: 002

Representative Nieves declared the bill passed.

**HB 1756**, relating to counterfeiting, was taken up by Representative Walton.

On motion of Representative Walton, **HB 1756** was read the third time and passed by the following vote:

AYES: 131

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Deeken	Denison	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Icet	Jones 89	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Walsh	Walton	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 030

Avery	Baker 25	Chappelle-Nadal	Corcoran	Day
Dethrow	El-Amin	Grill	Harris 23	Haywood
Hunter	Johnson	Jones 117	Kraus	Lowe 44
Meiners	Page	Robinson	Salva	Schaaf
Schoemehl	Spreng	St. Onge	Talboy	Wallace
Wasson	Wildberger	Wright-Jones	Young	Zweifel

VACANCIES: 002

Representative Nieves declared the bill passed.



**HCS HBs 2062 & 1518**, relating to military families, was taken up by Representative Pearce.

On motion of Representative Pearce, **HCS HBs 2062 & 1518** was read the third time and passed by the following vote:

AYES: 138

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Chappelle-Nadal	Corcoran	Donnelly	El-Amin
Grill	Harris 23	Haywood	Johnson	Kraus
Lowe 44	Meiners	Page	Robinson	Salva
Schaaf	Schoemehl	Spreng	St. Onge	Wildberger
Wright-Jones	Young	Zweifel		

VACANCIES: 002

Representative Nieves declared the bill passed.

Speaker Jetton assumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 138

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Chappelle-Nadal	Corcoran	El-Amin	Grill
Harris 23	Haywood	Johnson	Kraus	Lowe 44
McGhee	Meiners	Page	Robinson	Schaaf
Schoemehl	Spreng	St. Onge	Wildberger	Wright-Jones
Young	Zweifel			

VACANCIES: 002

**HB 2266**, relating to the Missouri Teaching Fellows Program, was taken up by Representative Jones (89).

On motion of Representative Jones (89), **HB 2266** was read the third time and passed by the following vote:

AYES: 122

Aull	Baker 123	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Casey	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 012

Bringer	Burnett	Darrough	Daus	George
McClanahan	Quinn 9	Swinger	Todd	Vogt
Whorton	Witte			

PRESENT: 000

ABSENT WITH LEAVE: 027

Avery	Baker 25	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	El-Amin	Grill	Harris 23	Haywood
Johnson	Kraus	Lowe 44	May	McGhee
Meiners	Page	Robinson	Schaaf	Schoemehl
Spreng	Stevenson	St. Onge	Wildberger	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 1516**, relating to protections for vulnerable persons, was taken up by Representative Brunns.

On motion of Representative Brunns, **HCS HB 1516** was read the third time and passed by the following vote:

AYES: 133

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Brunns	Burnett
Casey	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	George	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	McClanahan
Meadows	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 028

Avery	Baker 25	Chappelle-Nadal	Cooper 120	Corcoran
El-Amin	Flook	Grill	Harris 23	Haywood
Johnson	Kraus	Lowe 44	May	McGhee
Meiners	Nasheed	Page	Robinson	Schaaf
Schoemehl	Spreng	Stevenson	St. Onge	Wildberger
Wright-Jones	Young	Zweifel		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 2590**, relating to sovereign immunity for inmates, was taken up by Representative Moore.

On motion of Representative Moore, **HB 2590** was read the third time and passed by the following vote:

AYES: 135

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	McClanahan
Meadows	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Baker 25	Brown 50	Chappelle-Nadal	Corcoran
Donnelly	El-Amin	Grill	Harris 23	Haywood
Johnson	Kraus	Lowe 44	May	McGhee
Meiners	Page	Robinson	Schaaf	Schoemehl
Spreng	St. Onge	Wildberger	Wright-Jones	Young
Zweifel				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HB 2202**, relating to corrections officer pay parameters, was taken up by Representative Deeken.

On motion of Representative Deeken, **HB 2202** was read the third time and passed by the following vote:

AYES: 132

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	McClanahan	Meadows
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
Storch	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 029

Avery	Baker 25	Brown 50	Chappelle-Nadal	Corcoran
Curls	El-Amin	Grill	Harris 23	Haywood
Johnson	Kraus	Low 39	Lowe 44	May
McGhee	Meiners	Nasheed	Page	Robinson
Schaaf	Schoemehl	Spreng	St. Onge	Stream
Wildberger	Wright-Jones	Young	Zweifel	

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 2114**, relating to paper ballots at elections, was taken up by Representative Zimmerman.

On motion of Representative Zimmerman, **HCS HB 2114** was read the third time and passed by the following vote:

AYES: 094

Aull	Baker 25	Bland	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Cooper 120
Cox	Curls	Darrough	Daus	Day
Deeken	Donnelly	Dougherty	Fallert	Fares
Fisher	Frame	George	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Jones 117	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lipke	Loehner	Low 39	McClanahan	Meadows
Moore	Munzlinger	Nance	Nasheed	Nolte
Norr	Oxford	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sater
Scavuzzo	Schieffer	Schneider	Shively	Silvey
Skaggs	Smith 150	Storch	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Whorton	Wilson 119	Witte
Wright 159	Yaeger	Zimmerman	Mr Speaker	

NOES: 040

Baker 123	Bivins	Cooper 155	Cunningham 145	Cunningham 86
Davis	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Flook	Franz
Funderburk	Grisamore	Hunter	Icet	Jones 89
Lembke	Marsh	Nieves	Onder	Parkinson
Parson	Richard	Sander	Schad	Scharnhorst
Schlottach	Schoeller	Self	Smith 14	Stevenson
Wasson	Weter	Wilson 130	Wood	Yates

PRESENT: 000

ABSENT WITH LEAVE: 027

Avery	Brown 50	Chappelle-Nadal	Corcoran	El-Amin
Grill	Harris 23	Haywood	Johnson	Kasten
Kraus	Lowe 44	May	McGhee	Meiners
Muschany	Page	Robinson	Schaaf	Schoemehl
Spreng	St. Onge	Stream	Wildberger	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS HB 1704**, relating to grants for small schools, was taken up by Representative Wallace.

On motion of Representative Wallace, **HCS HB 1704** was read the third time and passed by the following vote:

AYES: 089

Aull	Brandom	Bringer	Brown 30	Bruns
Casey	Cooper 120	Cooper 155	Cunningham 145	Darrough
Day	Deeken	Denison	Dethrow	Faith
Fallert	Fisher	Frame	Franz	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hunter	Jones 117	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Liese	Loehner
Low 39	Marsh	May	McClanahan	Meadows
Moore	Munzlinger	Nance	Norr	Oxford
Parson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Roorda	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Skaggs	Smith 150	Stevenson	Storch
Sutherland	Swinger	Thomson	Tilley	Todd
Viebrock	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Zimmerman	Mr Speaker	

NOES: 043

Baker 123	Bivins	Bland	Burnett	Cox
Cunningham 86	Curls	Daus	Davis	Dixon
Dougherty	Dusenberg	Emery	Ervin	Fares
Flook	Funderburk	George	Hoskins	Hubbard
Hughes	Ice	Jones 89	Kasten	Lembke
LeVota	Lipke	Muschany	Nasheed	Nieves
Nolte	Parkinson	Portwood	Robb	Scharnhorst
Silvey	Smith 14	Talboy	Threlkeld	Villa
Vogt	Yaeger	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 029

Avery	Baker 25	Brown 50	Chappelle-Nadal	Corcoran
Donnelly	El-Amin	Grill	Harris 23	Haywood
Johnson	Kraus	Lowe 44	McGhee	Meiners
Onder	Page	Robinson	Ruestman	Schaaf
Schoemehl	Spreng	St. Onge	Stream	Walsh
Wildberger	Wright-Jones	Young	Zweifel	

VACANCIES: 002

Speaker Jetton declared the bill passed.



**HB 2078**, relating to driver's licenses, was taken up by Representative Hubbard.

On motion of Representative Hubbard, **HB 2078** was read the third time and passed by the following vote:

AYES: 101

Aull	Baker 123	Bivins	Bland	Brandom
Brown 30	Burnett	Casey	Cooper 120	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Ervin	Faith	Fares	Fisher
Flook	Frame	Funderburk	George	Grisamore
Guest	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Jones 117
Kasten	Kingery	Komo	Kratky	Kuessner
Lembke	LeVota	Lipke	Loehner	Low 39
Marsh	May	Meadows	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Salva	Sander	Scharnhorst
Schlottach	Schneider	Schoeller	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	Storch
Sutherland	Talboy	Thomson	Tilley	Viebrock
Wallace	Walton	Wasson	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Zimmerman
Mr Speaker				

NOES: 027

Bringer	Cooper 155	Daus	Day	Emery
Fallert	Franz	Harris 110	Hodges	Kelly
Lampe	Liese	McClanahan	Norr	Oxford
Quinn 9	Roorda	Scavuzzo	Schad	Schieffer
Self	Swinger	Todd	Villa	Wells
Witte	Yaeger			

PRESENT: 000

ABSENT WITH LEAVE: 033

Avery	Baker 25	Brown 50	Bruns	Chappelle-Nadal
Corcoran	Donnelly	El-Amin	Grill	Harris 23
Haywood	Johnson	Kraus	Lowe 44	McGhee
Meiners	Page	Pollock	Robinson	Sater
Schaaf	Schoemehl	Spreng	St. Onge	Stream
Threlkeld	Vogt	Walsh	Whorton	Wildberger
Wright-Jones	Young	Zweifel		

VACANCIES: 002

Speaker Jetton declared the bill passed.

## COMMITTEE REPORTS

**Committee on Elementary and Secondary Education**, Chairman Cunningham (86) reporting:

Mr. Speaker: Your Committee on Elementary and Secondary Education, to which was referred **HB 2281**, **HB 2489** and **HB 2537**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Energy and Environment**, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **HB 1854**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was referred **SS SCS SB 718**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **SB 762**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **SCS SBs 1225 & 1226**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1794**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2354**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2404**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 748**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 931**, begs leave to report it has examined the same and recommends that it **Do Pass**.

#### **REFERRAL OF HOUSE RESOLUTION**

The following House Resolution was referred to the Committee indicated:

**HR 185** - Rules

#### **REFERRAL OF HOUSE JOINT RESOLUTION**

The following House Joint Resolution was referred to the Committee indicated:

**HJR 77** - Conservation and Natural Resources

#### **REFERRAL OF HOUSE BILLS**

The following House Bills were referred to the Committee indicated:

**HB 2457** - Special Committee on General Laws

**HB 2533** - Higher Education

**HB 2554** - Elementary and Secondary Education

**HB 2568** - Special Committee on Senior Citizen Advocacy

#### **RE-REFERRAL OF HOUSE BILL**

The following House Bill was re-referred to the Committee indicated:

**HB 2480** - Local Government

## **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCR 31** - Conservation and Natural Resources  
**SCR 36** - Special Committee on Homeland Security

## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SS SCS SB 711** - Fiscal Review (Fiscal Note)  
**SB 748** - Fiscal Review (Fiscal Note)  
**HCS SS SCS SB 931** - Fiscal Review (Fiscal Note)  
**SCS SBs 754 & 794** - Crime Prevention and Public Safety  
**SCS SB 767** - Judiciary  
**SCS SB 788** - Special Committee on Professional Registration and Licensing  
**SB 790** - Crime Prevention and Public Safety  
**SB 805** - Ways and Means  
**SCS SB 1081** - Health Care Policy  
**SCS SB 1089** - Local Government  
**SS SB 1159** - Crime Prevention and Public Safety

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 29**.

### **SENATE CONCURRENT RESOLUTION NO. 29**

WHEREAS, the United States Department of Agriculture's National Agricultural Statistics Service collects and publishes information on the prices and inventories of rice; and

WHEREAS, this information is used for estimations of farm income and determinations of government program payments to farmers; and

WHEREAS, it is essential to the rice industry that the estimations of farm income and determinations of government program payments more accurately reflect the current market prices and stocks of rice:

NOW, THEREFORE, BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby request that the United States Department of Agriculture's National Agricultural Statistics Service add the dates of June 1 and September 1 as additional reporting dates to the "Agricultural Statistics Board" calendar to more accurately reflect prices and stocks; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare a properly inscribed copy of this resolution for the United States Secretary of Agriculture, the United States Department of Agriculture's National Agriculture Statistics Service, and to each member of Missouri's Congressional delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 31**.

SENATE CONCURRENT RESOLUTION NO. 31

WHEREAS, Chamois, Missouri, is a community located along the Missouri River in northern Osage County which has no means to cross the river except by way of bridges located approximately 45 miles to the west and 30 miles to the east; and

WHEREAS, the people who live in Chamois incur increasingly high costs using present routes in order to reach destinations on the north side of the Missouri River for employment, recreation, and business; and

WHEREAS, people who live on the north side of the Missouri River are equally restricted from accessing destinations on the south side of the Missouri River, respectively; and

WHEREAS, locating a ferryboat on the Missouri River at Chamois would allow residents on both sides to cross the River, reducing travel times and travel costs, provide a safer route, and conserve fuel; and

WHEREAS, locating a ferryboat at Chamois would establish the only reported ferry on the Missouri River and would thereby promote tourism on both sides of the River by attracting more visitors to the area and creating a driving destination for tourists visiting such communities as Hermann, Fulton, and Jefferson City; and

WHEREAS, locating a ferryboat at Chamois would likewise give residents on the south side of the River access to the Katy Trail located on the north side of the River; and

WHEREAS, numerous organizations have endorsed the ferryboat at Chamois, including but not limited to the Hermann Area Chamber of Commerce, the Fulton Area Chamber of Commerce, the county commissions for Osage and Callaway counties, the City of Mokane, the City of Chamois, and the Missouri Division of Tourism; and

WHEREAS, the promoters of the ferryboat at Chamois have requested federal and state funding for the project:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby express support for the Chamois ferryboat and urge the Missouri Department of Economic Development and the Missouri Department of Transportation, along with other state agencies and the Missouri Congressional Delegation, to assist in securing moneys for locating and construction of the ferryboat; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for Governor Matt Blunt, Gregory A. Steinhoff, the Director of the Department of Economic Development, Peter Rahn, the Director of the Missouri Department of Transportation, and each member of the Missouri Congressional Delegation.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 36**.

SENATE CONCURRENT RESOLUTION NO. 36

WHEREAS, the U.S. Air Force announced one of the largest military acquisition programs in U.S. history, saying the service had chosen Northrop Grumman over Boeing to replace its aging air refueling tanker fleet; and

WHEREAS, members of the Missouri General Assembly are shocked that the United States Air Force selected a European company and its foreign workers to provide a tanker to our American military; and

WHEREAS, at a time when the U.S. economy is hurting, this decision to outsource U.S. tankers is a blow to the American aerospace industry, American workers and America's military; and

WHEREAS, Boeing has 75 years of experience building tankers, and its workers are the best in the world; and

WHEREAS, it's stunning that the U.S. Air Force would outsource the production of these airplanes to Europe instead of building them in America; and

WHEREAS, Missouri workers rely on a thriving U.S. aerospace industry; and

WHEREAS, awarding the contract to Boeing, and not Airbus, would have created more than 44,000 jobs in Washington, Kansas, and other states; and

WHEREAS, this decision was about whether U.S. workers or European workers will produce the aircraft used as tankers for the U.S. Air Force for decades in the future; and

WHEREAS, the Boeing tanker takes advantage of 50 years of aerial refueling technology experience; and

WHEREAS, the KC-767 Advance Tanker is the best aircraft for the job. It makes sense for U.S. military aircraft programs, which are funded by American taxpayer dollars, to be designed and built by American companies that provide jobs to U.S. citizens; and

WHEREAS, approving the Boeing KC-767 Advanced Tanker would have given our men and women in the U.S. Air Force the best product, with the most advanced technology, available today; and

WHEREAS, Missouri is home to Boeing Integrated Defense Systems team, Phantom Works, Boeing's advanced research and development unit, and Boeing's Shared Services Group:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby condemn the actions of the United States Air Force in outsourcing jobs by failing to award the contract to replace the refueling tanker fleet to an American company; and

BE IT FURTHER RESOLVED that the General Assembly calls upon the members of the Missouri congressional delegation to ask tough questions to the U.S. Air Force regarding how it reached this decision, including the selection process used to make this decision; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution to each member of the Missouri congressional delegation and the Secretary of the Air Force.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCS SCR 39**.

SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE CONCURRENT RESOLUTION NO. 39

WHEREAS, public and teaching hospitals in Missouri serve as an integral part of the safety net system in this state. Major teaching hospitals account for approximately twenty-five percent of all Medicaid discharges; and

WHEREAS, currently there are thirty-three teaching hospitals and mental health centers in Missouri receiving graduate medical education funds. Such funding is used to train cardiologists, oncologists, neurologists, pediatricians, and numerous other types of physicians; and

WHEREAS, such hospitals are recognized for offering the most advanced and state-of-the-art services. Therefore, such training for the future health care workforce is an important and critical policy objective for this state; and

WHEREAS, such public and teaching hospitals are concerned about proposed regulations from the federal Centers for Medicare and Medicaid Services asserting that the federal Medicaid program lacks statutory authority to match payments for direct graduate medical education and activities. Such a rule change represents a significant reversal of long-standing Medicaid policy; and

WHEREAS, the State of Missouri will annually lose between 65 and 70 million dollars in lost federal funding starting May 25, 2008, should the rule take effect; and

WHEREAS, Truman Medical Center, in particular, is concerned that the proposed regulations would narrow the definition of "public" so that many current public hospitals, including Truman Medical Center, would no longer qualify as public for purposes of providing the local match required to obtain federal Medicaid funds. Initial estimates of the impact to Truman Medical Center are that it would exceed \$37 million in lost Medicaid funding; and

WHEREAS, the United States House of Representatives is considering extending the proposed rule by one year until May 25, 2009, prohibiting implementation of the proposed rule on Medicaid match for direct graduate medical education:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby request that the Missouri Congressional delegation ask the Centers for Medicare and Medicaid Services to withdraw this rule or delay implementation until May 25, 2009; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution to each member of Missouri's Congressional delegation and to the administrator of the Centers for Medicare and Medicaid Services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SJR 45**.

#### JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 37(h) of article III of the Constitution of Missouri, and adopting one new section in lieu thereof relating to storm water control assistance.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SB 817**, entitled:

An act to amend chapter 191, RSMo, by adding thereto one new section relating to anatomic pathology services.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1040**, entitled:

An act to repeal section 644.570, as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.570, as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to storm water control assistance, with a contingent effective date.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1172**, entitled:

An act to repeal sections 571.010, 571.020, and 571.070, RSMo, and to enact in lieu thereof three new sections relating to weapons, with penalty provisions.

In which the concurrence of the House is respectfully requested.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 2:00 p.m., Monday, April 28, 2008.

## **CORRECTIONS TO THE HOUSE JOURNAL**

### **AFFIDAVITS**

I, State Representative Thomas A. Villa, District 108, hereby state and affirm that my vote as recorded on Page 1110 of the House Journal for April 23, 2008 to adopt House Amendment No. 1 to House Bill No. 2202 was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 24th day of April 2008.

/s/ Thomas A. Villa  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 24th day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

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I, State Representative Al Liese, District 79, hereby state and affirm that my vote as recorded on the motion to perfect House Bill No. 1957 as recorded in the House Journal for April 24, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present



in the House Chamber at the time this vote was taken, I did in fact vote at that time, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 24th day of April 2008.

/s/ Al Liese  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 24th day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

\_\_\_\_\_  
I, State Representative Terry Swinger, District 162, hereby state and affirm that my vote as recorded on the motion to third read and pass House Committee Substitute for House Bill No. 2059 as recorded in the House Journal for April 24, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote at that time, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 24th day of April 2008.

/s/ Terry Swinger  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 24th day of April in the year 2008.

/s/ Megan Limbach  
Notary Public

## **COMMITTEE MEETINGS**

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Monday, April 28, 2008, 10:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003,  
SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007,  
SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011,  
SCS HCS HB 2012, SCS HCS HB 2013

CONFERENCE COMMITTEE - APPROPRIATIONS

Tuesday, April 29, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

CONFERENCE COMMITTEE - APPROPRIATIONS

Wednesday, April 30, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

CONFERENCE COMMITTEE - APPROPRIATIONS

Thursday, May 1, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 30, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 2554

FISCAL REVIEW

Tuesday, April 29, 2008, 8:30 a.m. Hearing Room 5.

Any bills presented to this committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, April 28, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports follow-up.

Some portions of the meeting may be closed pursuant to Section 610.021.

LOCAL GOVERNMENT

Monday, April 28, 2008, 12:00 p.m. Hearing Room 1.

Executive session will be held.

Public hearing to be held on: SB 845

**RULES - PURSUANT TO RULE 25(21)(f)**

Monday, April 28, 2008, 1:30 p.m. Hearing Room 5.

Executive session may follow. AMENDED.

Public hearings to be held on: HCS SB 1038, SB 1116, SCS SB 1157,  
HCS SCS SB 901, SS SCS SBs 714, 933, 899 & 758, HCS SS SCS SBs 818 & 795,  
SCR 40, HCS HB 2420, HB 2555, HCS HBs 1809 & 2173, HCS HB 2494,  
HCS HB 2421, HCR 20

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, April 29, 2008, Hearing Room 3 upon morning recess.

Executive session only.

**SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, April 29, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1818, HB 2552

**SPECIAL COMMITTEE ON UTILITIES**

Tuesday, April 29, 2008, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: SCS SB 720

**TRANSPORTATION**

Tuesday, April 29, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: SCS SB 759

**HOUSE CALENDAR**

SIXTIETH DAY, MONDAY, APRIL 28, 2008

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HB 2144 - Whorton
- 6 HB 1535 - Deeken
- 7 HB 1517 - Cox
- 8 HCS HB 2112 - Emery
- 9 HB 1372 - McGhee
- 10 HCS HB 1590 - Munzlinger
- 11 HCS HB 1504 - Walton
- 12 HCS HB 2156 - Grill
- 13 HCS HB 2159 - Grill
- 14 HB 1562 - LeVota
- 15 HCS HB 2239 - Stevenson

- 16 HCS HB 1438 - Kelly
- 17 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 18 HCS HB 2110 - Dixon
- 19 HCS HB 1723 - Franz
- 20 HCS HB 1745 - Robb
- 21 HB 1764 - Parson
- 22 HB 1871 - Deeken
- 23 HB 1934 - May
- 24 HCS HB 1974 - Schlottach
- 25 HB 2207 - Hoskins
- 26 HB 2514 - Weter
- 27 HB 1425 - Munzlinger
- 28 HCS HB 1599 - Sater
- 29 HB 1673 - Parson
- 30 HCS HB 1839 - Franz
- 31 HCS HB 1857 - Schaaf
- 32 HB 1954 - Dixon
- 33 HB 2129 - Baker (123)
- 34 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 35 HCS HB 2282 - Ervin
- 36 HCS HB 2330 - Brandom
- 37 HB 2343 - Wilson (130)
- 38 HB 2365 - Pratt
- 39 HB 2429 - Hunter
- 40 HB 2458 - Jones (89)
- 41 HCS HB 2508 - Ruestman
- 42 HCS HB 1794 - Deeken
- 43 HCS HB 2354 - Portwood
- 44 HB 2404 - Hubbard

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS#2 HB 1423, E.C. - St. Onge
- 3 HCS HB 2260, (Fiscal Review 4-23-08) - Storch
- 4 HB 1957 - Hughes

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**SENATE JOINT RESOLUTION FOR SECOND READING**

SJR 45

**SENATE BILLS FOR SECOND READING**

- 1 SS SB 817
- 2 SCS SB 1040
- 3 SCS SB 1172

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 15, (4-10-08, Pages 888-889) - Kuessner
- 3 HCS HCRs 43 & 46, (4-09-08, Pages 860-861) - Funderburk
- 4 HCR 34, (4-17-08, Pages 993-994) - Sutherland
- 5 HCR 35, (4-17-08, Pages 994-995) - Sutherland

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin

- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 SS SCS SB 944, E.C. - Robb
- 4 SCS SB 967, E.C. - Kingery
- 5 HCS SB 1010 - Stevenson
- 6 SCS SB 806 - Meadows
- 7 HCS SCS SB 830 - Day
- 8 HCS SB 932, (Fiscal Review 4-17-08) - Grisamore
- 9 SB 955 - Wildberger
- 10 HCS SB 958 - Schad
- 11 SB 970 - May
- 12 SB 1068 - Sater
- 13 HCS SB 1074 - Smith (14)
- 14 SCS SB 1105 - Faith
- 15 HCS SB 1175, (Fiscal Review 4-17-08) - Cox
- 16 HCS SB 841 - St. Onge
- 17 HCS SS SCS SB 711, (Fiscal Review 4-24-08) - Sutherland
- 18 SB 748, (Fiscal Review 4-24-08), E.C. - LeVota
- 19 HCS SB 863 - Muschany
- 20 HCS SCS SB 907 - Cooper (120)
- 21 HCS SS SCS SB 931, (Fiscal Review 4-24-08) - Dethrow
- 22 HCS SCS SB 939 - Quinn (7)
- 23 HCS SB 1140, E.C. - Bruns
- 24 HCS SB 1288, E.C. - Cooper (120)

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTIETH DAY, MONDAY, APRIL 28, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Dwain Carter, Harmony Baptist Church, Waynesville, Missouri.

Our God and Our Father,

Today, I come here before You on behalf of these men and women of the House of Representatives of the Great State of Missouri in the greatest country in the world, United States of America. I come Lord to You praising and worshipping Your name. You are the only and most awesome God. I want to lift You up and praise You for Your worth, Your wisdom, Your knowledge, Your understanding and Your foresight. Without You we just go about our days without eternal understanding and we are doing everything that we do on our own. I confess that we need You in the forefront of our lives. Today Lord show us Your love and guide us in everything that we do.

God, please forgive us for moving forward without consulting You and following Your decrees and laws. Please forgive us for the sin in our lives, even the little inconspicuous things that we do every day without even thinking about it. God, forgive us when we think that we can do things on our own. God, open our eyes so we can see and open our hearts so we can feel and open our ears so we can listen, in the way that You see, feel and listen. Lord, lead us to follow all Your perfect ways and to never question You or the things that You stand for. God, show these men and women how to look around and see the needs of the people that You have put them in charge of. Show us how we are to treat and help those in need. Give us compassion for those who are not as blessed as we are. Make our hearts beat in the same passionate way that Yours does. Find us faithfully fulfilling the duties of our jobs for Your Glory.

God, as we strive to move forward for the benefits of this state, may everything that is done in this great room be done for the uplifting of those that the laws that are made for. Lord, may we never oppress the people that are under our charge. Lord, these men and women have a hard job, Father, please work through them in everything that they are doing so they will be right in their decision making. God, guide them.

Lord, bless this Great State and these men and women with blessings that can only come from You, and can only be explained through Your word.

God, show us that You love us and that Your love for us is in our best interest. Lord, may we fall deeper and deeper in love with You.

I pray these things in the name of our Lord and Savior Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Quinton John Maggart, Kadya Joshua Maggart and Carson Eileen Maggart.

The Journal of the fifty-ninth day was approved as printed.



## SPECIAL RECOGNITION

The Fair Play Future Farmers of America Dairy Foods Judging Team was introduced by Representative Parson and recognized for attaining First Place at the 80<sup>th</sup> National FFA Convention.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2253 through House Resolution No. 2356

## SECOND READING OF SENATE JOINT RESOLUTION

**SJR 45** was read the second time.

## SECOND READING OF SENATE BILLS

**SS SB 817, SCS SB 1040 and SCS SB 1172** were read the second time.

## THIRD READING OF SENATE BILLS

**SCS SB 967**, relating to federally guaranteed student loans, was taken up by Representative Kingery.

Representative Bringer offered **House Amendment No. 1**.

Representative Stevenson raised a point of order that **House Amendment No. 1** goes beyond the scope of the underlying bill.

The Chair ruled the point of order well taken.

On motion of Representative Kingery, **SCS SB 967** was truly agreed to and finally passed by the following vote:

AYES: 121

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Ruestman	Ruzicka	Salva

Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Villa	Wallace	Walsh	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Young	Zimmerman
Mr Speaker				

NOES: 014

Burnett	Casey	Curls	Daus	George
Hughes	Johnson	Kuessner	LeVota	Low 39
Lowe 44	Oxford	Skaggs	Talboy	

PRESENT: 000

ABSENT WITH LEAVE: 026

Baker 25	Bland	Brown 30	Brown 50	Cooper 120
Corcoran	Darrough	Donnelly	Dougherty	El-Amin
Harris 23	Hubbard	Marsh	Meadows	Page
Roorda	Rucker	Spreng	Viebrock	Vogt
Walton	Wasson	Wright-Jones	Yaeger	Yates
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Pearce assumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 127

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Burnett	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schneider

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Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Villa	Wallace	Walsh
Walton	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Young
Zimmerman	Mr Speaker			

NOES: 013

Casey	Daus	George	Hughes	Johnson
LeVota	Lowe 44	Oxford	Roorda	Salva
Skaggs	Talboy	Wildberger		

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 25	Bland	Brown 30	Brown 50	Darrough
Donnelly	Dougherty	El-Amin	Harris 23	Hubbard
Marsh	Meadows	Scharnhorst	Spreng	Viebrock
Vogt	Wasson	Wells	Wright-Jones	Yates
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

**HCS SB 958**, relating to tree trimming by electric suppliers, was taken up by Representative Schad.

Representative Portwood offered **House Amendment No. 1**.

Representative Cooper (120) raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative Schad, **HCS SB 958** was adopted.

On motion of Representative Schad, **HCS SB 958** was read the third time and passed by the following vote:

AYES: 135

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes

Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Yaeger	Zimmerman	Mr Speaker

NOES: 001

Self

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 024

Baker 25	Bland	Brown 30	Brown 50	Darrough
Donnelly	Dougherty	El-Amin	Emery	Harris 23
Hubbard	Marsh	Meadows	Page	Robinson
Scharnhorst	Spreng	Viebrock	Vogt	Wasson
Wright-Jones	Yates	Young	Zweifel	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**SCS SB 1105**, relating to a breast cancer tax check-off, was taken up by Representative Faith.

On motion of Representative Faith, **SCS SB 1105** was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes

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Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 25	Bland	Brown 30	Brown 50	Cooper 120
Darrough	Dougherty	El-Amin	Emery	Harris 23
Hubbard	Marsh	Robinson	Scharnhorst	Self
Spreng	Viebrock	Vogt	Wasson	Wright-Jones
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**SCS SB 806**, relating to flying flags at half-staff, was taken up by Representative Meadows.

Representative Pearce resumed the Chair.

On motion of Representative Meadows, **SCS SB 806** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes

Hunter	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Meiners	Moore	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 25	Bland	Brown 30	Brown 50	Darrough
Harris 23	Low 39	Lowe 44	Marsh	Munzlinger
Scharnhorst	Self	Spreng	Viebrock	Vogt
Wasson	Wright-Jones	Zweifel		

VACANCIES: 002

Representative Pearce declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

### MOTION

Representative Tilley moved that Rule 23 be suspended for the next two weeks for the limited purpose of allowing the Conference Committee on Budget to meet during session.

Which motion was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bivins	Brandom
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten

Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Yates	Young	Mr Speaker

NOES: 017

Bringer	Burnett	Casey	Chappelle-Nadal	Daus
George	Harris 110	Holsman	Lampe	Norr
Oxford	Schieffer	Skaggs	Talboy	Whorton
Witte	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker 25	Bland	Brown 30	Brown 50	Corcoran
Darrough	Deeken	Harris 23	Hughes	Low 39
Lowe 44	Marsh	Scharnhorst	Self	Spreng
Viebrock	Vogt	Wright-Jones	Zweifel	

VACANCIES: 002

### THIRD READING OF HOUSE BILL

**HCS#2 HB 1423**, relating to alcohol-related traffic offenses, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **HCS#2 HB 1423** was read the third time and passed by the following vote:

AYES: 137

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo

Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Mr Speaker			

NOES: 004

Burnett	Hughes	Talboy	Villa
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PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Bland	Brown 30	Brown 50	Cox
Darrough	Emery	Harris 23	Low 39	Lowe 44
Marsh	Meadows	Pollock	Scharnhorst	Self
Spreng	Viebrock	Vogt	Wright-Jones	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda



Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 002

Burnett Talboy

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 25	Bland	Brown 30	Brown 50	Darrough
Flook	Harris 23	Hughes	Hunter	Johnson
Low 39	Lowe 44	Marsh	Meadows	Scharnhorst
Self	Spreng	Viebrock	Vogt	Wright-Jones
Zweifel				

VACANCIES: 002

## HOUSE CONCURRENT RESOLUTIONS

**HCS HCRs 43 & 46**, relating to the United States Air Force contracts, was taken up by Representative Funderburk.

On motion of Representative Funderburk, **HCS HCRs 43 & 46** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker

Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 25	Bland	Brown 30	Brown 50	Chappelle-Nadal
Darrough	Harris 23	Lowe 44	Marsh	Meadows
Robinson	Scharnhorst	Self	Spreng	Viebrock
Vogt	Wright-Jones	Zweifel		

VACANCIES: 002

**HCR 15**, relating to commercial motor carriers, was taken up by Representative Kuessner.

On motion of Representative Kuessner, **HCR 15** was adopted.

**HCR 34**, relating to walking and bicycling to school, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCR 34** was adopted.

**HCR 35**, relating to recognition of “National Bike Month” and "Bike to Work Week", was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCR 35** was adopted.

### **THIRD READING OF HOUSE BILL**

**HCS HB 1929**, relating to excursion gambling boat licensees, was taken up by Representative Cooper (120).

Representative Pearce resumed the Chair.

**HCS HB 1929** was laid over.

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HB 2549** - Special Committee on Urban Issues

## COMMITTEE REPORTS

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **HB 1539**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCR 20**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1809 & 2173**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2420**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2421**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2494**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2555**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 40**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SBs 714, 933, 899 & 758**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 818 & 795**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 901**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1038**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 1116**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1157**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 738**, entitled:

An act to repeal sections 643.151 and 644.076, RSMo, and to enact in lieu thereof two new sections relating to recycling companies that convert animal parts into petroleum, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SBs 1181, 1100, 1262 & 1263**, entitled:

An act to repeal sections 8.800, 8.810, 8.812, 8.815, 8.837, 30.750, 30.753, 30.756, 30.758, 30.760, 30.765, 143.121, and 170.011, RSMo, and to enact in lieu thereof forty new sections relating to energy efficiency, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SB 1245**, entitled:

An act to repeal sections 115.350 and 561.021, RSMo, and to enact in lieu thereof one new section relating to disqualification of candidates for public office.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS SB 1283**, entitled:

An act to repeal sections 33.103, 135.535, 135.562, 191.400, 192.014, 192.083, 195.070, 195.100, 208.145, 208.152, 208.215, 208.955, 334.104, 335.016, 376.811, 376.986, and 660.062, RSMo, and to enact in lieu thereof seventy-two new sections relating to the Missouri health transformation act of 2008, with penalty provisions.

In which the concurrence of the House is respectfully requested.

The following members' presence was noted: Viebrock and Vogt.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, April 29, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1884

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Tuesday, April 29, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, April 30, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 1, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 30, 2008, 8:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SCR 31

### **CRIME PREVENTION AND PUBLIC SAFETY**

Tuesday, April 29, 2008, 12:00 p.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: SS SCS SJRs 34 & 30, SCS SB 732, SCS SBs 754 & 794, SS SB 1159

ELEMENTARY AND SECONDARY EDUCATION

Wednesday, April 30, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 2554

FISCAL REVIEW

Tuesday, April 29, 2008, 8:30 a.m. Hearing Room 5.

Any bills presented to this committee.

HEALTH CARE POLICY

Tuesday, April 29, 2008, Hearing Room 5 upon morning recess.

Executive session may follow.

Public hearings to be held on: SCS SB 1081, SS SCS SB 778, SS SCS SB 768

HIGHER EDUCATION

Tuesday, April 29, 2008, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 2533

JUDICIARY

Tuesday, April 29, 2008, Hearing Room 1 upon morning recess.

Executive session may follow.

Public hearings to be held on: HB 2434, SCS SB 767, SCS SB 1139

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, April 29, 2008, Hearing Room 3 upon morning recess.

Executive session only.

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, April 29, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HB 1818, HB 2552

SPECIAL COMMITTEE ON URBAN ISSUES

Wednesday, April 30, 2008, 9:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2549, HB 2556

SPECIAL COMMITTEE ON UTILITIES

Tuesday, April 29, 2008, 9:30 a.m. House Chamber south gallery.

Executive session will be held on: SCS SB 720

TRANSPORTATION

Tuesday, April 29, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearing to be held on: SCS SB 759

## HOUSE CALENDAR

SIXTY-FIRST DAY, TUESDAY, APRIL 29, 2008

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HB 2144 - Whorton
- 6 HB 1535 - Deeken
- 7 HB 1517 - Cox
- 8 HCS HB 2112 - Emery
- 9 HB 1372 - McGhee
- 10 HCS HB 1590 - Munzlinger
- 11 HCS HB 1504 - Walton
- 12 HCS HB 2156 - Grill
- 13 HCS HB 2159 - Grill
- 14 HB 1562 - LeVota
- 15 HCS HB 2239 - Stevenson
- 16 HCS HB 1438 - Kelly
- 17 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 18 HCS HB 2110 - Dixon
- 19 HCS HB 1723 - Franz
- 20 HCS HB 1745 - Robb
- 21 HB 1764 - Parson
- 22 HB 1871 - Deeken
- 23 HB 1934 - May
- 24 HCS HB 1974 - Schlottach
- 25 HB 2207 - Hoskins
- 26 HB 2514 - Weter
- 27 HB 1425 - Munzlinger
- 28 HCS HB 1599 - Sater
- 29 HB 1673 - Parson
- 30 HCS HB 1839 - Franz
- 31 HCS HB 1857 - Schaaf
- 32 HB 1954 - Dixon
- 33 HB 2129 - Baker (123)
- 34 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 35 HCS HB 2282 - Ervin
- 36 HCS HB 2330 - Brandom
- 37 HB 2343 - Wilson (130)
- 38 HB 2365 - Pratt

- 39 HB 2429 - Hunter
- 40 HB 2458 - Jones (89)
- 41 HCS HB 2508 - Ruestman
- 42 HCS HB 1794 - Deeken
- 43 HCS HB 2354 - Portwood
- 44 HB 2404 - Hubbard

**HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2260, (Fiscal Review 4-23-08) - Storch
- 3 HB 1957 - Hughes

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**SENATE BILLS FOR SECOND READING**

- 1 SS SCS SB 738
- 2 SCS SBs 1181, 1100, 1262 & 1263
- 3 SB 1245
- 4 SS SCS SB 1283

**HOUSE CONCURRENT RESOLUTION**

HCR 11, (3-05-08, Pages 421-422) - Nolte

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer



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- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberger
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 SS SCS SB 944, E.C. - Robb
- 4 HCS SB 1010 - Stevenson
- 5 HCS SCS SB 830 - Day
- 6 HCS SB 932, (Fiscal Review 4-17-08) - Grisamore
- 7 SB 955 - Wildberger
- 8 SB 970 - May
- 9 SB 1068 - Sater
- 10 HCS SB 1074 - Smith (14)

- 11 HCS SB 1175, (Fiscal Review 4-17-08) - Cox
- 12 HCS SB 841 - St. Onge
- 13 HCS SS SCS SB 711, (Fiscal Review 4-24-08) - Sutherland
- 14 SB 748, (Fiscal Review 4-24-08), E.C. - LeVota
- 15 HCS SB 863 - Muschany
- 16 HCS SCS SB 907 - Cooper (120)
- 17 HCS SS SCS SB 931, (Fiscal Review 4-24-08) - Munzlinger
- 18 HCS SCS SB 939 - Quinn (7)
- 19 HCS SB 1140, E.C. - Bruns
- 20 HCS SB 1288, E.C. - Cooper (120)
- 21 HCS SCS SB 901 - Hunter
- 22 SB 1038, E.C. - Cox

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-FIRST DAY, TUESDAY, APRIL 29, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Holy Lord, Almighty God, send us the gifts of Your Holy Spirit, so that we may understand the issues of today's agenda in the light of Your Divine Plan. Keep us humble so that we do not become victims of self-righteousness, but rather act as instruments of service to the people we represent and to the entire State.

Drain our hearts of the will to misuse power while attempting to achieve desired results. May our respect for those who oppose what we believe in be visible to all.

May the work we begin at this hour advance the common good among all the people and advance Your Kingdom in our world.

To You be glory and honor forever. Amen.

*(Adapted from **Prayers For the Servants of God**)*

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Bianca Drake, Taylor Snyder, Chloe Jiovenale, Shelby Wisdom, Nariah Hunt, Patrick Amen, Mitchell Stringer, Sarah Cradick and Madison Goswick.

The Journal of the sixtieth day was approved as printed.

## SPECIAL RECOGNITION

L.B. Eckelkamp was introduced by Representative Nieves and recognized as an Outstanding Missourian.

The Bolivar High School Lady Liberators Basketball Team was introduced by Representative Parson and recognized for attaining the 2007-2008 Class 4 State Championship.

Representative Icet assumed the Chair.

## SECOND READING OF SENATE BILLS

**SS SCS SB 738, SCS SBs 1181, 1100, 1262 & 1263, SB 1245** and **SS SCS SB 1283** were read the second time.

## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS HB 2260** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 711** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SB 748** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 931** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 932** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SB 1175** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## THIRD READING OF SENATE BILL

**HCS SCS SB 939**, relating to levee and drainage districts, was taken up by Representative Quinn (7).

Representative Jones (89) assumed the Chair.

On motion of Representative Quinn (7), **HCS SCS SB 939** was adopted.

Speaker Jetton resumed the Chair.

Speaker Pro Tem Pratt assumed the Chair.

On motion of Representative Quinn (7), **HCS SCS SB 939** was read the third time and passed by the following vote:

AYES: 083

Bivins	Brandom	Bruns	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

NOES: 070

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Daus	Davis	Donnelly
El-Amin	Ervin	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Onder	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Stream	Swinger	Talbot	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 008

Avery	Darrough	Harris 23	Marsh	Self
Spreng	Wright-Jones	Yates		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### SPECIAL RECOGNITION

The Maplewood-Richmond Heights Blue Devils Boys Basketball Team was introduced by Representative Donnelly and recognized for attaining the 2007-2008 Class 3 State Championship.

### THIRD READING OF SENATE BILL

**HCS SB 841**, relating to vehicle weight regulations, was taken up by Representative St. Onge.

Representative Cooper (120) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 841, Page 6, Section 304.180, Line 100, by inserting after the second occurrence of the word "pounds" the following:

**", except as provided in subsection 9 of this section"; and**

Further amend said bill, Page 6, Section 304.180, Line 116, by inserting after all of said line the following:

**"9. Notwithstanding subsections 3 and 6 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36."; and**

Further amend said bill, Pages 6 through 8, Section 304.190, by removing said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Scharnhorst assumed the Chair.

Representative Schoeller assumed the Chair.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted by the following vote:

AYES: 098

Aull	Bivins	Brandom	Brown 30	Brown 50
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hughes	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Loehner	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Quinn 7	Quinn 9
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter

Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Young	Mr Speaker		

NOES: 052

Avery	Baker 123	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Daus	Davis
Dusenberg	Fallert	Frame	George	Grill
Harris 110	Haywood	Hodges	Holsman	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	McClanahan	Meadows
Nasheed	Norr	Oxford	Page	Roorda
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Todd	Villa	Vogt
Walsh	Walton	Whorton	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Darrough	Donnelly	Harris 23	Lowe 44
Marsh	Pratt	Robinson	Spreng	Sutherland
Wright-Jones				

VACANCIES: 002

Representative Cooper (120) offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 841, Page 8, Section 304.190, Line 50, by inserting after said line the following:

"304.230. 1. It shall be the duty of the sheriff of each county or city to see that the provisions of sections 304.170 to 304.230 are enforced, and any peace officer or police officer of any county or city or any highway patrol officer shall have the power to arrest on sight or upon a warrant any person found violating or having violated the provisions of such sections.

2. The sheriff or any peace officer or any highway patrol officer is hereby given the power to stop any such conveyance or vehicle as above described upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof he or she shall have a right at that time and place to cause the excess load to be removed from such vehicle; and provided further, that any regularly employed maintenance man of the department of transportation shall have the right and authority in any part of this state to stop any such conveyance or vehicle upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof, he or she shall have the right at that time and place to cause the excess load to be removed from such vehicle. When only an axle or a tandem axle group of a vehicle is overloaded, the operator shall be permitted to shift the load, if this will not overload some other axle or axles, without being charged with a violation; provided, however, the privilege of shifting the weight without being charged with a violation shall not extend to or include vehicles while traveling on the federal interstate system of highways. When only an axle or tandem axle group of the vehicle traveling on the federal interstate system of highways is overloaded and a court authorized to enforce the provisions of sections 304.170 to 304.230 finds that the overloading was due to the inadvertent shifting of the load changing axle weights in transit through no fault of the operator of the vehicle and that the load thereafter had been shifted so that no axle had been overloaded, then the court may find that no violation has been committed. The operator of any vehicle shall be permitted to back up and reweigh, or to turn around and weigh from the opposite direction. Any operator whose vehicle is weighed and found to be within five

percent of any legal limit may request and receive a weight ticket, memorandum or statement showing the weight or weights on each axle or any combinations of axles. Once a vehicle is found to be within the limits of section 304.180 after having been weighed on any state scale and there is no evidence that any cargo or fuel has been added, no violation shall occur, but a presumption shall exist that cargo or fuel has been added if upon reweighing on another state scale the total gross weight exceeds the applicable limits of section 304.180 or 304.190. The highways and transportation commission of this state may deputize and appoint any number of their regularly employed maintenance men to enforce the provisions of such sections, and the maintenance men delegated and appointed in this section shall report to the proper officers any violations of sections 304.170 to 304.230 for prosecution by such proper officers.

3. The superintendent of the Missouri state highway patrol may assign qualified persons who are not highway patrol officers to supervise or operate permanent or portable weigh stations used in the enforcement of commercial vehicle laws. These persons shall be designated as commercial vehicle inspectors and have limited police powers:

(1) To issue uniform traffic tickets at a permanent or portable weigh station for violations of rules and regulations of the division of motor carrier and railroad safety of the department of economic development and department of public safety, and laws, rules, and regulations pertaining to commercial motor vehicles and trailers and related to size, weight, fuel tax, registration, equipment, driver requirements, transportation of hazardous materials and operators' or chauffeurs' licenses, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests for violation of subdivisions (1) and (2) of this subsection. Commercial vehicle inspectors shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol; nor shall they have the right as peace officers to bear arms.

4. The superintendent of the Missouri state highway patrol may appoint qualified persons, who are not members of the highway patrol, designated as commercial vehicle enforcement officers, with the powers:

(1) To issue uniform traffic tickets for violations of laws, rules and regulations pertaining to commercial vehicles, trailers, special mobile equipment and drivers of such vehicles, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, compliance with the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests upon warrants and for violations of subdivisions (1) and (2) of this subsection. Commercial vehicle enforcement officers shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol. Commercial vehicle enforcement officers shall have the right as peace officers to bear arms.

5. Any additional employees needed for the implementation of this section shall be hired in conformity with the provisions of the federal fair employment and antidiscrimination acts.

6. Any part of this section which shall be construed to be in conflict with the axle or tandem axle load limits permitted by the Federal-Aid Highway Act, Section 127 of Title 23 of the United States Code (Public Law 85-767, 85th Congress) shall be null, void and of no effect.

**7. Beginning January 1, 2009, no local law enforcement officer may conduct a random commercial motor vehicle roadside inspection to determine compliance with the provisions of sections 304.170 to 304.230 unless the law enforcement officer has satisfactorily completed, as a part of his or her training, the basic course of instruction developed by the Commercial Vehicle Safety Alliance and has been approved by the Missouri state highway patrol under this section. Law enforcement officers authorized to enforce the provisions of sections 304.170 to 304.230 shall annually receive in-service training related to commercial motor vehicle operations, including but not limited to training in current federal motor carrier safety regulations, safety inspection procedures, and out-of-service criteria. The annual training requirements shall be approved by the superintendent of the state highway patrol.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.



**HCS SB 841, as amended, with House Amendment No. 2, pending,** was laid over.

Speaker Jetton resumed the Chair.

### **SIGNING OF SENATE BILLS**

All other business of the House was suspended while **SB 1066** and **SCS SB 967** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Representative Schoeller resumed the Chair.

### **THIRD READING OF SENATE BILL**

**HCS SB 841, as amended, with House Amendment No. 2, pending,** relating to vehicle weight regulations, was again taken up by Representative St. Onge.

Speaker Pro Tem Pratt resumed the Chair.

**HCS SB 841, as amended, with House Amendment No. 2, pending,** was laid over.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Joe Green, Will Speidel and Tremaine Banks.

### **SPECIAL RECOGNITION**

Bill and Nedra Baird of Excelsior Springs were introduced by Representative Nance and recognized as Outstanding Missourians.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2357 through House Resolution No. 2415

### **THIRD READING OF SENATE BILLS**

**HCS SCS SB 901**, relating to workers' compensation, was taken up by Representative Hunter.

**HCS SCS SB 901** was laid over.

**HCS SS SCS SB 931**, relating to agricultural incentives and programs, was taken up by Representative Munzlinger.

Representative Munzlinger offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 931, Section 281.260, Page 19, Line 74, by deleting all of said line and inserting in lieu thereof the following:

**"12. Notwithstanding any other provision of law to the contrary the director may allow a reasonable period of time for the retailer to dispose"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Munzlinger, **House Amendment No. 1** was adopted.

Representative Sutherland offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 931, Section 267.168, Page 17, Line 13, by inserting immediately after all of said line the following:

"278.070. As used in sections 278.060 to 278.300, the following words and terms mean:

(1) "Board of soil and water district supervisors" or "soil and water supervisors", the local governing body of a soil and water district, elected or appointed in accordance with the provisions of this law;

(2) "Landowner", any person, firm or corporation who holds title to any lands lying within a district organized or to be organized under the provisions of this chapter. Any landowner may be represented by notarized proxy not more than one year old;

(3) "Land representative", the owner or representative authorized by power of attorney of any farm lying within any area proposed to be established, and subsequently established, as a soil and water district under the provisions of this law, and for the purposes of this law each such farm shall be entitled to representation by a land representative; provided, however, that any land representative must be a taxpayer of the county within which the soil and water district is located;

(4) "Soil and water conservation cost-share program", a state-funded incentive program designed for the purpose of saving the soil of the state through erosion control and abatement;

(5) "Soil and water conservation district" or "soil and water district", a county or one or more of its townships wherein a project for saving the soil and water has been established with the authority and duty and subject to the restrictions herein set forth; and in establishing a soil and water district, if the proposed area is less than the area of the county which contains it, but greater than the area of one township, the additional township or townships to be included in such soil and water district need not be contiguous with the first township or with one another, but there shall be only one soil and water district within the boundaries of the same county; and any farm intersected by a soil and water district boundary shall be considered as lying within that district for purposes of soil and water conservation by that district, except that the soil and water conservation of a farm which lies partly within one soil and water district and partly within another shall be considered the duty of the soil and water district in which the home buildings of such farm are located;

(6) "State soil and water districts commission" or "soil and water commission", the agency created by section 278.080 for the administration of the soil and water conservation districts provided for by this law;

(7) **"Subdistrict", "watershed subdistrict", or "watershed district", as used in sections 278.160 to 278.300, a watershed district, with the exception of section 278.160 whereby subdistrict is specifically used to describe the relationship to an established soil water conservation district or districts that may be established as a watershed district;**

(8) "Township", municipal township and not congressional or survey township."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Sutherland, **House Amendment No. 2** was adopted.

Representative Lampe offered **House Amendment No. 3**.

Representative Cox raised a point of order that the distribution of **House Amendment No. 3** was not timely.

The Chair ruled the point of order well taken.

Representative Swinger offered **House Amendment No. 4**.

Representative Cox raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Icet resumed the Chair.

On motion of Representative Munzlinger, **HCS SS SCS SB 931, as amended**, was adopted.

On motion of Representative Munzlinger, **HCS SS SCS SB 931, as amended**, was read the third time and passed by the following vote:

AYES: 124

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Guest	Harris 110
Haywood	Hobbs	Hodges	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kuessner
Lembke	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter

Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Zweifel	Mr Speaker	

NOES: 024

Baker 123	Burnett	Chappelle-Nadal	Daus	Dusenberg
Ervin	Flook	Grill	Grisamore	Holsman
Kasten	Kraus	Lampe	LeVota	Lowe 44
Nasheed	Norr	Oxford	Schad	Skaggs
Talboy	Yaeger	Yates	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 30	Corcoran	Darrough	Donnelly	Harris 23
Hughes	Marsh	Robinson	Schaaf	Schneider
Spreng	Wright-Jones	Young		

VACANCIES: 002

Representative Icet declared the bill passed.

**HCS SB 841, as amended, with House Amendment No. 2, pending**, relating to vehicle weight regulations, was again taken up by Representative St. Onge.

Representative Burnett offered **House Substitute Amendment No. 1 for House Amendment No. 2.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 841, Section 304.190, Page 8, Line 50, by inserting immediately after all of said line the following:

"304.230. 1. It shall be the duty of the sheriff of each county or city to see that the provisions of sections 304.170 to 304.230 are enforced, and any peace officer or police officer of any county or city or any highway patrol officer shall have the power to arrest on sight or upon a warrant any person found violating or having violated the provisions of such sections.

2. The sheriff or any peace officer or any highway patrol officer is hereby given the power to stop any such conveyance or vehicle as above described upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof he or she shall have a right at that time and place to cause the excess load to be removed from such vehicle; and provided further, that any regularly employed maintenance man of the department of transportation shall have the right and authority in any part of this state to stop any such conveyance or vehicle upon the public highway for the purpose of determining whether such vehicle is loaded in excess of the provisions of sections 304.170 to 304.230, and if he or she finds such vehicle loaded in violation of the provisions thereof, he or she shall have the right at that time and place to cause the excess load to be removed from such vehicle. When only an axle or a tandem axle group of a vehicle is overloaded, the operator shall be permitted to shift the load, if this will not overload some other axle or axles, without being charged with a violation; provided, however, the privilege of shifting the weight without being charged with a violation shall not extend to or include vehicles while traveling on the federal interstate system of highways. When only an axle or tandem axle group of the vehicle traveling on the federal interstate system of highways is overloaded and a court authorized to enforce the provisions of sections 304.170 to 304.230 finds that the overloading

was due to the inadvertent shifting of the load changing axle weights in transit through no fault of the operator of the vehicle and that the load thereafter had been shifted so that no axle had been overloaded, then the court may find that no violation has been committed. The operator of any vehicle shall be permitted to back up and reweigh, or to turn around and weigh from the opposite direction. Any operator whose vehicle is weighed and found to be within five percent of any legal limit may request and receive a weight ticket, memorandum or statement showing the weight or weights on each axle or any combinations of axles. Once a vehicle is found to be within the limits of section 304.180 after having been weighed on any state scale and there is no evidence that any cargo or fuel has been added, no violation shall occur, but a presumption shall exist that cargo or fuel has been added if upon reweighing on another state scale the total gross weight exceeds the applicable limits of section 304.180 or 304.190. The highways and transportation commission of this state may deputize and appoint any number of their regularly employed maintenance men to enforce the provisions of such sections, and the maintenance men delegated and appointed in this section shall report to the proper officers any violations of sections 304.170 to 304.230 for prosecution by such proper officers.

3. The superintendent of the Missouri state highway patrol may assign qualified persons who are not highway patrol officers to supervise or operate permanent or portable weigh stations used in the enforcement of commercial vehicle laws. These persons shall be designated as commercial vehicle inspectors and have limited police powers:

(1) To issue uniform traffic tickets at a permanent or portable weigh station for violations of rules and regulations of the division of motor carrier and railroad safety of the department of economic development and department of public safety, and laws, rules, and regulations pertaining to commercial motor vehicles and trailers and related to size, weight, fuel tax, registration, equipment, driver requirements, transportation of hazardous materials and operators' or chauffeurs' licenses, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests for violation of subdivisions (1) and (2) of this subsection. Commercial vehicle inspectors shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol; nor shall they have the right as peace officers to bear arms.

4. The superintendent of the Missouri state highway patrol may appoint qualified persons, who are not members of the highway patrol, designated as commercial vehicle enforcement officers, with the powers:

(1) To issue uniform traffic tickets for violations of laws, rules and regulations pertaining to commercial vehicles, trailers, special mobile equipment and drivers of such vehicles, and the provisions of sections 303.024 and 303.025, RSMo;

(2) To require the operator of any commercial vehicle to stop and submit to a vehicle and driver inspection to determine compliance with commercial vehicle laws, rules, and regulations, compliance with the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations;

(3) To make arrests upon warrants and for violations of subdivisions (1) and (2) of this subsection. Commercial vehicle enforcement officers shall not have the authority to exercise the powers granted in subdivisions (1), (2) and (3) of this subsection until they have successfully completed training approved by the superintendent of the Missouri state highway patrol. Commercial vehicle enforcement officers shall have the right as peace officers to bear arms.

5. Any additional employees needed for the implementation of this section shall be hired in conformity with the provisions of the federal fair employment and antidiscrimination acts.

6. Any part of this section which shall be construed to be in conflict with the axle or tandem axle load limits permitted by the Federal-Aid Highway Act, Section 127 of Title 23 of the United States Code (Public Law 85-767, 85th Congress) shall be null, void and of no effect.

**7. The superintendent may also appoint members of the patrol who are certified under the commercial vehicle safety alliance with the power to conduct commercial motor vehicle and driver inspections and to require the operator of any commercial vehicle to stop and submit to said inspections to determine compliance with commercial vehicle laws, rules, and regulations, compliance with the provisions of sections 303.024 and 303.025, RSMo, and to submit to a cargo inspection when reasonable grounds exist to cause belief that a vehicle is transporting hazardous materials as defined by Title 49 of the Code of Federal Regulations.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Substitute Amendment No. 1 for House Amendment No. 2** was adopted.

Representative Faith offered **House Amendment No. 3**.

Representative St. Onge raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Icet requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative St. Onge, **HCS SB 841, as amended**, was adopted.

On motion of Representative St. Onge, **HCS SB 841, as amended**, was read the third time and passed by the following vote:

AYES: 127

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cox	Cunningham 145
Cunningham 86	Curls	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 018

Baker 123	Chappelle-Nadal	Daus	Davis	Dusenberg
Frame	George	Harris 110	Holsman	LeVota
Lipke	Nasheed	Oxford	Skaggs	Talboy
Villa	Vogt	Walton		

PRESENT: 000

ABSENT WITH LEAVE: 016

Cooper 155	Corcoran	Darrough	Donnelly	Harris 23
Hughes	Johnson	Low 39	Marsh	Page
Robinson	Schaaf	Spreng	Storch	Wright-Jones
Young				

VACANCIES: 002

Representative Icet declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**SB 748**, relating to nonresident taxable incomes, was taken up by Representative LeVota.

On motion of Representative LeVota, **SB 748** was truly agreed to and finally passed by the following vote:

AYES: 144

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 016

Baker 25	Corcoran	Darrough	Donnelly	Harris 23
Johnson	Marsh	Meadows	Richard	Robinson
Schaaf	Spreng	Storch	Wallace	Wasson
Wright-Jones				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 136

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Dethrow



PRESENT: 003

Chappelle-Nadal	George	Oxford
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ABSENT WITH LEAVE: 021

Baker 25	Baker 123	Burnett	Cunningham 145	Darrough
Donnelly	Harris 23	Holsman	Hughes	Hunter
Johnson	Lowe 44	Marsh	Meadows	Nolte
Robinson	Sater	Schaaf	Spreng	Storch
Wright-Jones				

VACANCIES: 002

**SS SCS SB 944**, relating to bond registration fees, was taken up by Representative Robb.

On motion of Representative Robb, **SS SCS SB 944** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zweifel	Mr Speaker		

NOES: 004

LeVota	Lowe 44	Talboy	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 25	Corcoran	Darrough	Donnelly	Harris 23
Hubbard	Marsh	Page	Richard	Robinson
Schaaf	Spreng	Storch	Wright-Jones	

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 106

Aull	Avery	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Hobbs
Hoskins	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Kuessner
Lembke	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Zweifel
Mr Speaker				

NOES: 029

Bland	Bringer	Burnett	Curls	Daus
Fallert	George	Harris 110	Hodges	Hubbard
Hughes	Johnson	Komo	Kratky	LeVota
Low 39	Lowe 44	Oxford	Quinn 9	Schoemehl
Skaggs	Swinger	Talboy	Villa	Vogt
Walsh	Witte	Yaeger	Zimmerman	

PRESENT: 014

Chappelle-Nadal	Grill	Haywood	Holsman	Lampe
Liese	Meadows	Nasheed	Norr	Roorda
Shively	Todd	Whorton	Wildberger	

ABSENT WITH LEAVE: 012

Baker 25	Corcoran	Darrough	Donnelly	Harris 23
Marsh	Robinson	Schaaf	Spreng	Storch
Wright-Jones	Young			

VACANCIES: 002

**SB 839**, relating to lease-purchase school properties, was taken up by Representative Harris (110).

Representative Nolte offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND Senate Bill No. 839, Section 177.088, Pages 1 through 4, by removing all of said section from the bill and inserting in lieu thereof the following:

"177.088. 1. As used in this section, the following terms shall mean:

(1) "Board", the board of education, board of trustees, board of regents, or board of governors of an educational institution;

(2) "Educational institution", any school district, including all junior college districts, and any state college or university organized under chapter 174, RSMo.

2. The board of any educational institution may enter into agreements as authorized in this section with a not-for-profit corporation formed under the general not for profit corporation law of Missouri, chapter 355, RSMo, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation and financing of sites, buildings, facilities, furnishings and equipment for the use of the educational institution for educational purposes.

3. The board may on such terms as it shall approve:

(1) Lease from the corporation sites, buildings, facilities, furnishings and equipment which the corporation has acquired or constructed; or

(2) Notwithstanding the provisions of this chapter or any other provision of law to the contrary, sell or lease at fair market value, which may be determined by appraisal, to the corporation any existing sites owned by the educational institution, together with any existing buildings and facilities thereon, in order for the corporation to acquire, construct, improve, extend, repair, remodel, renovate, furnish and equip buildings and facilities thereon, and then lease back or purchase such sites, buildings and facilities from the corporation; provided that upon selling or leasing the sites, buildings or facilities, the corporation agrees to enter into a lease for not more than one year but with not more than twenty successive options by the educational institution to renew the lease under the same conditions; and provided further that the corporation agrees to convey or sell the sites, buildings or facilities, including any improvements, extensions, renovations, furnishings or equipment, back to the educational institution with clear title at the end of the period of successive one-year options or at any time bonds, notes or other obligations issued by the corporation to pay for the improvements, extensions, renovations, furnishings or equipment have been paid and discharged.

4. Any consideration, promissory note or deed of trust which an educational institution receives for selling or leasing property to a not-for-profit corporation pursuant to this section shall be placed in a separate fund or in escrow, and neither the principal or any interest thereon shall be commingled with any other funds of the educational institutions. At such time as the title or deed for property acquired, constructed, improved, extended, repaired, remodeled or renovated under this section is conveyed to the educational institution, the consideration shall be returned to the corporation.

5. The board may make rental payments to the corporation under such leases out of its general funds or out of any other available funds, provided that in no event shall the educational institution become indebted in an amount exceeding in any year the income and revenue of the educational institution for such year plus any unencumbered balances from previous years.

6. Any bonds, notes and other obligations issued by a corporation to pay for the acquisition, construction, improvements, extensions, repairs, remodeling or renovations of sites, buildings and facilities, pursuant to this section, may be secured by a mortgage, pledge or deed of trust of the sites, buildings and facilities and a pledge of the revenues received from the rental thereof to the educational institution. Such bonds, notes and other obligations issued by a

corporation shall not be a debt of the educational institution and the educational institution shall not be liable thereon, and in no event shall such bonds, notes or other obligations be payable out of any funds or properties other than those acquired for the purposes of this section, and such bonds, notes and obligations shall not constitute an indebtedness of the educational institution within the meaning of any constitutional or statutory debt limitation or restriction.

7. The interest on such bonds, notes and other obligations of the corporation and the income therefrom shall be exempt from taxation by the state and its political subdivisions, except for death and gift taxes on transfers. Sites, buildings, facilities, furnishings and equipment owned by a corporation in connection with any project pursuant to this section shall be exempt from taxation.

8. The board may make all other contracts or agreements with the corporation necessary or convenient in connection with any project pursuant to this section. The corporation shall comply with sections 290.210 to 290.340, RSMo.

9. Notice that the board is considering a project pursuant to this section shall be given by publication in a newspaper published within the county in which all or a part of the educational institution is located which has general circulation within the area of the educational institution, once a week for two consecutive weeks, the last publication to be at least seven days prior to the date of the meeting of the board at which such project will be considered and acted upon.

10. Provisions of other law to the contrary notwithstanding, the board may refinance any lease purchase agreement that satisfies at least one of the conditions specified in subsection 6 of section 165.011, RSMo, for the purpose of payment on any lease with the corporation under this section for sites, buildings, facilities, furnishings or equipment which the corporation has acquired or constructed, but such refinance shall not extend the date of maturity of any obligation, and the refinancing obligation shall not exceed the amount necessary to pay or provide for the payment of the principal of the outstanding obligations to be refinanced, together with the interest accrued thereon to the date of maturity or redemption of such obligations and any premium which may be due under the terms of such obligations and any amounts necessary for the payments of costs and expenses related to issuing such refunding obligations and to fund a capital projects reserve fund for the obligations.

11. Provisions of other law to the contrary notwithstanding, payments made from any source by a school district, after the latter of July 1, 1994, or July 12, 1994, that result in the transfer of the title of real property to the school district, other than those payments made from the capital projects fund, shall be deducted as an adjustment to the funds payable to the district pursuant to section 163.031, RSMo, beginning in the year following the transfer of title to the district, as determined by the department of elementary and secondary education. **No district with modular buildings leased in fiscal year 2004, with the lease payments made from the incidental fund and that initiates the transfer of title to the district after fiscal year 2007, shall have any adjustment to the funds payable to the district under section 163.031, RSMo, as a result of the transfer of title.**

12. Notwithstanding provisions of this section to the contrary, the board of education of any school district located within a county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants may enter into agreements with such county, or a city, town, or village wholly or partially located within the boundaries of such school district, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation, and financing of sites, buildings, facilities, furnishings, and equipment for the use of the school district for educational purposes. Such an agreement may provide for the present or future acquisition of an ownership interest in such facilities by the school district, by lease, lease purchase agreement, option to purchase agreement, or similar provisions, and may provide for a joint venture between the school district and other entity or entities that are parties to such an agreement providing for the sharing of the costs of acquisition, construction, repair, maintenance, and operation of such facilities. The school district may wholly own such facilities, or may acquire a partial ownership interest along with the county, city, town, or village with which the agreement was executed. Notwithstanding the provisions of subsection 11 of this section, the school district may expend funds from its general or incidental funds to satisfy its obligations for rent, lease payments, construction, improvements, maintenance, repairs, and operation of such facilities, and may acquire an ownership interest in such facilities, without being subject to the deductions from funds payable to the district under section 163.031, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Day assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Daus	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	Donnelly	Harris 23	Hunter	Marsh
Robinson	Schneider	Spreng	Storch	Wright-Jones
Zweifel				

VACANCIES: 002

Representative Nolte moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 014

Cunningham 86	Davis	Day	May	Muschany
Nasheed	Nolte	Robb	Silvey	Skaggs
Stevenson	Tilley	Wallace	Mr Speaker	

NOES: 136

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Curls
Daus	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nieves	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Viebrock	Villa
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	Donnelly	Harris 23	Johnson	Marsh
Robinson	Spreng	Storch	Vogt	Wright-Jones
Zweifel				

VACANCIES: 002

**SB 839** was laid over.

Speaker Jetton resumed the Chair.

**HCS SB 1288**, relating to ethics, was taken up by Representative Cooper (120).

Representative Day resumed the Chair.

**HCS SB 1288** was laid over.

Speaker Jetton resumed the Chair.

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1970**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2188**, entitled:

An act to repeal sections 339.100, 339.532, 443.809, 443.810, and 443.891, RSMo, and to enact in lieu thereof nine new sections relating to mortgage fraud, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 2224**, entitled:

An act to repeal sections 57.280, 488.435, 590.050, and 650.350, RSMo, and to enact in lieu thereof five new sections relating to the training and compensation of law enforcement officers.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 931, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 958** and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### **BILL CARRYING REQUEST MESSAGE**

**HCS SS SCS SB 931, as amended**, relating to agricultural incentives and programs, was taken up by Representative Munzlinger.

Representative Munzlinger moved that the House refuse to recede from its position on **HCS SS SCS SB 931, as amended**, and grant the Senate a conference.

Which motion was adopted.

## **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HCS SS SCS SB 931:** Representatives Munzlinger, Dethrow, Wells, Witte and Aull.

## **COMMITTEE REPORTS**

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SB 1159**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Energy and Environment**, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **SCS SB 1261**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 994**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SCS SB 720**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **HJR 64**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 724**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 1034 & 802**, begs leave to report it has examined the same and recommends that it **Do Pass**.



## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, April 30, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HB 1884

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, April 30, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 1, 2008, 8:00 a.m. Senate Lounge.

Executive session may follow.

Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003, SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007, SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011, SCS HCS HB 2012, SCS HCS HB 2013

### **CONSERVATION AND NATURAL RESOURCES**

Wednesday, April 30, 2008, 8:00 p.m. Hearing Room 4.

Executive session may follow.

Public hearing to be held on: SCR 31

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 3.

EXECUTIVE SESSION ONLY.

### **ELEMENTARY AND SECONDARY EDUCATION**

Wednesday, April 30, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 2554

### **FISCAL REVIEW**

Thursday, May 1, 2008, 8:30 a.m. Hearing Room 5.

Any bills presented to this committee.

**JOINT COMMITTEE ON EDUCATION**

Tuesday, May 6, 2008, 1:00 p.m. Hearing Room 7.

Election of Chairman and Vice Chairman.

Discussion of Department of Elementary and

Secondary Education's Professional Development Grants.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, May 5, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports; testimony from Attorney General and State Treasurer's offices; criminal codes revision project; old and new business.

Some portions may be closed pursuant to 610.021.

**LOCAL GOVERNMENT**

Wednesday, April 30, 2008, Hearing Room 4 upon morning recess.

Executive session will be held.

Public hearings to be held on: HB 2480, SCS SB 1089

**RULES**

Wednesday, April 30, 2008, 9:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: HR 185

**RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, April 30, 2008, 9:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearings to be held on: HCS SCS SB 781, HCS SCS SBs 1225 & 1226, HCS SB 762, HCS SCS SBs 930 & 947, HCS SB 976, HCS SS SCS SB 718, HCS HB 1468, HCS HBs 1736 & 2320, HCS HBs 1582 & 1963, HCS HCR 27

**SPECIAL COMMITTEE ON IMMIGRATION**

Wednesday, April 30, 2008, Hearing Room 7 upon evening adjournment.

Executive session.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2594, SCS SB 788

**SPECIAL COMMITTEE ON URBAN ISSUES**

Wednesday, April 30, 2008, 9:00 a.m. Hearing Room 3.

Executive session may follow.

Public hearings to be held on: HB 2549, HB 2556

**HOUSE CALENDAR**

SIXTY-SECOND DAY, WEDNESDAY, APRIL 30, 2008

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HCS HB 1644 - Muschany
- 5 HB 2144 - Whorton
- 6 HB 1535 - Deeken
- 7 HB 1517 - Cox
- 8 HCS HB 2112 - Emery
- 9 HB 1372 - McGhee
- 10 HCS HB 1590 - Munzlinger
- 11 HCS HB 1504 - Walton
- 12 HCS HB 2156 - Grill
- 13 HCS HB 2159 - Grill
- 14 HB 1562 - LeVota
- 15 HCS HB 2239 - Stevenson
- 16 HCS HB 1438 - Kelly
- 17 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 18 HCS HB 2110 - Dixon
- 19 HCS HB 1723 - Franz
- 20 HCS HB 1745 - Robb
- 21 HB 1764 - Parson
- 22 HB 1871 - Deeken
- 23 HB 1934 - May
- 24 HCS HB 1974 - Schlottach
- 25 HB 2207 - Hoskins
- 26 HB 2514 - Weter
- 27 HB 1425 - Munzlinger
- 28 HCS HB 1599 - Sater
- 29 HB 1673 - Parson
- 30 HCS HB 1839 - Franz
- 31 HCS HB 1857 - Schaaf
- 32 HB 1954 - Dixon
- 33 HB 2129 - Baker (123)
- 34 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 35 HCS HB 2282 - Ervin
- 36 HCS HB 2330 - Brandom
- 37 HB 2343 - Wilson (130)
- 38 HB 2365 - Pratt
- 39 HB 2429 - Hunter
- 40 HB 2458 - Jones (89)
- 41 HCS HB 2508 - Ruestman

- 42 HCS HB 1794 - Deeken
- 43 HCS HB 2354 - Portwood
- 44 HB 2404 - Hubbard

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2260 - Storch
- 3 HB 1957 - Hughes

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **HOUSE CONCURRENT RESOLUTION**

HCR 11, (3-05-08, Pages 421-422) - Nolte

#### **SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson

- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 HCS SB 1010 - Stevenson
- 4 HCS SCS SB 830 - Day
- 5 HCS SB 932 - Grisamore
- 6 SB 955 - Wildberger
- 7 SB 970 - May
- 8 SB 1068 - Sater
- 9 HCS SB 1074 - Smith (14)
- 10 HCS SB 1175 - Cox
- 11 HCS SS SCS SB 711 - Sutherland
- 12 HCS SB 863 - Muschany
- 13 HCS SCS SB 907 - Cooper (120)
- 14 HCS SB 1140, E.C. - Bruns
- 15 HCS SB 1288, E.C. - Cooper (120)
- 16 HCS SCS SB 901 - Hunter
- 17 SB 1038, E.C. - Cox
- 18 HCS SCS SB 724 - Jones (117)

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HB 2224 - Jones (117)
- 2 SCS HCS HB 2188 - Pearce

**BILL CARRYING REQUEST MESSAGE**

HCS SB 958, (Request House recede/grant conference) - Schad

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet
- 13 HCS SS SCS SB 931, as amended - Munzlinger

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-SECOND DAY, WEDNESDAY, APRIL 30, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, we give thanks to You, for You are good and Your mercy endures forever. You are great and do amazing things.

As the days of this session dwindle; the time winding down; as the pressure mount and the hours become long; as our voices elevate and tempers flare; may You be a calming influence, granting us relief, in those intense moments.

May we remain respectful of the legislative process, of one another, and of our constituents, being prepared and willing to do any principled and honorable work. May we be harmonious, composed, and considerate to all.

Now, since we have received from You instructions which cannot be shaken, let us show gratitude, by which we may offer to You an acceptable service with reverence and awe.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Robbie Loehner, Savannah Grace Holsman, Grant Thomas Holsman, Grace Meyer, Sean Utley, Rebekah Smith, Chloe Needy, Xavier Vaughn, Ryan Baysinger, Jake Abbot, Stacy Branson, Cody Wallace, Darren Jones, Rebecca Wood and Megan Stodden.

The Journal of the sixty-first day was approved as printed.

## SPECIAL RECOGNITION

The Hermann High School Lady Bearcat Basketball Team was introduced by Representative Loehner and recognized for attaining the 2007-2008 Class 3 State Championship.

## THIRD READING OF SENATE BILLS

**HCS SB 863**, relating to higher education savings programs, was taken up by Representative Muschany.

Representative Pearce assumed the Chair.

On motion of Representative Muschany, **HCS SB 863** was adopted.

On motion of Representative Muschany, **HCS SB 863** was read the third time and passed by the following vote:

AYES: 137

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Holsman	Hoskins	Hubbard	Hughes	Hunter
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Lowe 44
May	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Yaeger	Yates	Young
Zweifel	Mr Speaker			

NOES: 002

Wallace	Witte
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PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Baker 25	Brown 50	Curls	Darrough
Dougherty	Hodges	Ice	Johnson	LeVota
Low 39	Marsh	McClanahan	Moore	Robb
Salva	Schieffer	Spreng	Stream	Vogt
Wright-Jones	Zimmerman			

VACANCIES: 002

Representative Pearce declared the bill passed.



**HCS SB 1074**, relating to statutory liens against real estate, was taken up by Representative Smith (14).

Representative Smith (14) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 1074, Section 429.015, Page 2, Line 22, by inserting after the word, "engineering" the words, ", **landscape architecture**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Smith (14), **House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 1074, Page 1, Section A, Line 2, by inserting after said line the following:

"429.010. 1. Any person who shall do or perform any work or labor upon land, rent any machinery or equipment, or use any rental machinery or equipment, or furnish any material, fixtures, engine, boiler or machinery for any building, erection or improvements upon land, or for repairing, grading, excavating, or filling of the same, or furnish and plant trees, shrubs, bushes or other plants or provides any type of landscaping goods or services or who installs outdoor irrigation systems under or by virtue of any contract with the owner or proprietor thereof, or his or her agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of sections 429.010 to 429.340, shall have for his or her work or labor done, machinery or equipment rented or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants furnished, or any type of landscaping goods or services provided, a lien upon such building, erection or improvements, and upon the land belonging to such owner or proprietor on which the same are situated, to the extent of three acres; or if such building, erection or improvements be upon any lot of land in any town, city or village, or if such building, erection or improvements be for manufacturing, industrial or commercial purposes and not within any city, town or village, then such lien shall be upon such building, erection or improvements, and the lot, tract or parcel of land upon which the same are situated, and not limited to the extent of three acres, to secure the payment of such work or labor done, machinery or equipment rented, or materials, fixtures, engine, boiler, machinery, trees, shrubs, bushes or other plants or any type of landscaping goods or services furnished, or outdoor irrigation systems installed **and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs**; except that if such building, erection or improvements be not within the limits of any city, town or village, then such lien shall be also upon the land to the extent necessary to provide a roadway for ingress to and egress from the lot, tract or parcel of land upon which such building, erection or improvements are situated, not to exceed forty feet in width, to the nearest public road or highway. Such lien shall be enforceable only against the property of the original purchaser of such plants unless the lien is filed against the property prior to the conveyance of such property to a third person. For claims involving the rental of machinery or equipment to others who use the rental machinery or equipment, the lien shall be for the reasonable rental value of the machinery or equipment during the period of actual use and any periods of nonuse taken into account in the rental contract, while the machinery or equipment is on the property in question.

2. There shall be no lien involving the rental of machinery or equipment unless:

- (1) The improvements are made on commercial property;
- (2) The amount of the claim exceeds five thousand dollars; and

(3) The party claiming the lien provides written notice within five business days of the commencement of the use of the rental machinery or equipment to the property owner that rental machinery or equipment is being used upon their property. Such notice shall identify the name of the entity that rented the machinery or equipment, the machinery or equipment being rented, and the rental rate.

Nothing contained in this subsection shall apply to persons who use rented machinery or equipment in performing the work or labor described in subsection 1 of this section."; and

Further amend said bill, Page 2, Section 429.015, Line 20, by inserting after the word "performed" the following:

**"and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs"; and**

Further amend said bill, Page 2, Section 429.015, Line 31, by inserting after the word "aforesaid" the following:

**"and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs"; and**

Further amend said bill, Page 2, Section 429.015, Line 44, by inserting after the word "performed" the following:

**"and reasonable attorney's fees and costs to perfect the lien in any case where the perfected lien is at least ninety percent of the original lien filed; in any case where the lien filed is determined to not be valid or is less than fifty percent of the original amount filed, the petitioner shall pay the defendants attorney's fees and costs"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 2** was adopted by the following vote:

AYES: 114

Avery	Bivins	Bland	Brandom	Bringer
Brown 30	Burnett	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cunningham 86	Daus	Davis	Day
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Faith	Fallert	Fisher	Frame	Franz
Funderburk	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
May	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger

Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 026

Brown 50	Bruns	Cunningham 145	Denison	Dethrow
Emery	Ervin	Fares	Flook	George
Guest	Hughes	Hunter	Lowe 44	Moore
Portwood	Quinn 9	Roorda	Sander	Schoeller
Skaggs	Swinger	Todd	Vogt	Whorton
Witte				

PRESENT: 001

Kasten

ABSENT WITH LEAVE: 020

Aull	Baker 25	Baker 123	Cooper 120	Cox
Curls	Darrough	Deeken	Ice	LeVota
Low 39	Marsh	McClanahan	Parson	Robb
Spreng	Storch	Stream	Wright-Jones	Zimmerman

VACANCIES: 002

On motion of Representative Smith (14), **HCS SB 1074, as amended**, was adopted.

On motion of Representative Smith (14), **HCS SB 1074, as amended**, was read the third time and passed by the following vote:

AYES: 129

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Corcoran	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Denison
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 9	Richard
Robinson	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Walsh
Walton	Wasson	Wells	Weter	Wildberger

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Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 012

Dethrow	Ervin	Loehner	Lowe 44	Roorda
Swinger	Talboy	Todd	Vogt	Wallace
Whorton	Witte			

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 25	Baker 123	Burnett	Cooper 120	Cooper 155
Curls	Darrough	Ice	LeVota	Low 39
Marsh	McClanahan	Quinn 7	Robb	Schlottach
Spreng	Storch	Stream	Wright-Jones	Zimmerman

VACANCIES: 002

Representative Pearce declared the bill passed.

**HCS SB 1140**, relating to Office of Administration programs, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS SB 1140** was adopted.

On motion of Representative Bruns, **HCS SB 1140** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson

St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 25	Baker 123	Cooper 155	Darrough	Day
Hughes	LeVota	Low 39	Marsh	Meiners
Salva	Schoemehl	Spreng	Wright-Jones	Young
Zimmerman				

VACANCIES: 002

Representative Pearce declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 136

Aull	Avery	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 120
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruzicka
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte

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Wood  
Mr Speaker

Wright 159

Yaeger

Yates

Zweifel

NOES: 003

Burnett

George

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 25

Baker 123

Bland

Brown 50

Cooper 155

Darrough

Hobbs

Hughes

Hunter

Lembke

LeVota

Low 39

Lowe 44

Marsh

Meiners

Ruestman

Salva

Sater

Spreng

Wright-Jones

Young

Zimmerman

VACANCIES: 002

**SB 839**, relating to lease-purchase school properties, was taken up by Representative Harris (110).

**SB 839** was laid over.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS#2 SCS HCS HB 1619**, entitled:

An act to repeal sections 195.010, 195.017, 195.070, 195.100, 195.417, 334.104, and 335.016, RSMo, and to enact in lieu thereof sixteen new sections relating to monitoring of drugs, with penalty provisions and an effective date.

With Senate Amendment No. 1 and Senate Amendment No. 2.

*Senate Amendment No. 1*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1619, Page 62, Section 334.104, Line 22 of said page, by striking "197.017" and inserting in lieu thereof the following: "**195.017**".

*Senate Amendment No. 2*

AMEND Senate Substitute No. 2 for Senate Committee Substitute for House Committee Substitute for House Bill No. 1619, Page 74, Section 335.016, Line 4 of said page, by inserting immediately after said line the following:

**"338.650. There is hereby established in the state treasury the "Pharmacy Rebates Fund". Any revenues received by the state, either directly or indirectly, from pharmaceutical manufacturer rebates as required by federal law or state supplemental rebates as defined in state plan amendments shall be deposited into the pharmacy rebates fund and shall be used only in the MO HealthNet pharmacy program or its successor programs authorized under Title XIX, Public Law 89-97, 1965 amendments to the federal Social Security Act, 42 U.S.C. Section 301 et seq."; and**

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 1779**, entitled:

An act to repeal sections 319.015, 319.022, 319.024, 319.025, 319.026, 319.030, 319.036, 319.037, 319.041, 319.045, 319.050, 386.020, 392.200, 392.220, 392.230, 392.245, 392.361, 392.370, 392.420, 392.450, 392.451, 392.480, 392.490, 392.510, 392.515, and 392.520, RSMo, and to enact in lieu thereof twenty-seven new sections relating to utility service provision, with an effective date for certain sections.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3 and Senate Amendment No. 4.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 7, Section 319.015, Line 21 of said page, by inserting immediately after all of said line the following:

**"319.016. Notwithstanding any provision of sections 319.010 to 319.050 to the contrary, the state highways and transportation commission shall not be required to be a notification center participant after December 31, 2011, but nothing in this section shall prohibit the commission from voluntarily choosing to be a notification center participant after that date.";** and

Further amend said bill and page, Section 319.022, Line 26 of said page, by inserting immediately after "facility." the following:

**"Except as provided in section 319.016,";** and

Further amend said bill and section, Page 8, Line 14 of said page, by inserting immediately after "center" the following:

**"except as provided otherwise in section 319.016";** and

Further amend Line 28 of said page, by inserting immediately after "center" the following:

**"except as provided otherwise in section 319.016";** and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 13, Section 319.025, Line 19 of said page, by inserting immediately after "RSMo" the following:

**", provided however, the provisions of this subsection shall not apply to railroad right of way owned or operated by a railroad".**

*Senate Amendment No. 3*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 63, Section 392.245, Lines 2-3 of said page, by striking "companies that are" and inserting in lieu thereof the following:

**"upon a finding that a company that is";** and

Further amend Line 3 of said page, by striking "and that have" and inserting in lieu thereof the following:

"has"; and

Further amend Line 5 of said page, by inserting after "competitive" the following:

", the company"; and

Further amend Line 9 of said page, by inserting immediately after "company" the following:

**", provided that any annual increase in rates for residential basic local telecommunications service shall not exceed two dollars per line per month for a period of four years"; and**

Further amend said bill and section, Page 69, Line 15 of said page, by striking "and"; and

Further amend Line 16 of said page, by striking "fifty cents".

*Senate Amendment No. 4*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 1779, Page 45, Section 386.020, Line 7 of said page, by inserting after all of said line the following:

**"386.572. 1. No corporation, person, public utility, or municipality that owns any gas plant shall violate any law or any order, decision, decree, rule, direction, demand, or requirement of the commission or any part or portion thereof relating to federally mandated natural gas safety standards. Notwithstanding the above, a municipality that owns any gas plant shall be subject to the provisions of this section only for violations of natural gas safety laws, rules, or orders.**

**2. The maximum penalties for violations of federally mandated natural gas safety standards, or such stricter natural gas safety standards or rules as may be approved by the commission, shall not be greater than fifteen thousand dollars for each violation with a maximum penalty for a continuing violation or a multiple series of violations of the same standard or rule provision not to exceed one hundred fifty thousand dollars, notwithstanding any provisions of subsection 1 of section 386.570 to the contrary. The maximum penalty for each violation shall increase to twenty thousand dollars, effective January 1, 2015, twenty-five thousand dollars, effective January 1, 2025, thirty thousand dollars, effective January 1, 2035, and forty thousand dollars, effective January 1, 2040. The maximum penalty for a continuing violation or a multiple series of violations of the same standard or rule provision shall increase to two hundred thousand dollars, effective January 1, 2015, two hundred fifty thousand dollars, effective January 1, 2025, three hundred thousand dollars, effective January 1, 2035, and four hundred thousand dollars, effective January 1, 2040. In determining the amount of the penalty, the commission shall consider the nature, circumstances, and gravity of the violation, and also shall consider, with respect to the entity found to have committed the violation:**

- (1) The degree of culpability;**
- (2) Any history of prior violations;**
- (3) The effect of the penalty on the entity's ability to continue operation;**
- (4) Any good faith effort in attempting to achieve compliance;**
- (5) Ability to pay the penalty; and**
- (6) Such other matters as are relevant in the case.**

**3. Every violation of a specific natural gas safety standard or rule by any corporation, person, public utility, or municipality that owns any gas plant is a separate and distinct offense, regardless of whether such violations relate to the same incident. In case of a continuing violation, each day's continuance thereof shall be a separate and distinct offense.**

**4. In construing and enforcing the provisions of this section, the act, omission, or failure of any officer, agent, or employee of any corporation, person, public utility, or municipality that owns any gas plant acting within the scope of official duties of employment shall in every case be considered the act, omission, or failure of such corporation, person, public utility, or municipality that owns any gas plant."; and**

Further amend the title and enacting clause accordingly.



In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SS SCS SB 931, as amended**: Senators Purgason, Clemens, Goodman, Barnitz and Shoemyer.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Jett Gabert.

### SPECIAL RECOGNITION

Retired Master Sergeant Takeji Frank Mori, United States Army, was introduced by Representative May and recognized as an Outstanding Missourian.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2416 through House Resolution No. 2485

Representative Richard assumed the Chair.

### PERFECTION OF HOUSE BILL

**HCS HB 1644**, relating to a tax deduction for corporations, was taken up by Representative Muschany.

Representative Muschany offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1644, Section A, Page 1, Line 2, by inserting after all of said section the following:

"143.011. **1.** A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident.  
**2. For all taxable years ending on or before December 31, 2007**, the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

If the Missouri taxable income is:	The tax is:
Not over \$1,000.00 .....	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000 .....	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000 .....	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000 .....	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000 .....	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000 .....	\$125 plus 4% of excess over \$5,000

Over \$6,000 but not over \$7,000 .....	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000 .....	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000 .....	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000 .....	\$315 plus 6% of excess over \$9,000

**3. For all taxable years beginning on or after January 1, 2008, the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:**

<b>If the Missouri taxable income is:</b>	<b>The tax is:</b>
Not over \$1,000.00 .....	0% of the Missouri taxable income
Over \$1,000 but not over \$2,000 .....	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000 .....	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000 .....	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000 .....	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000 .....	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000 .....	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000 .....	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000.....	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000.....	\$315 plus 6% of excess over \$9,000"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

Representative Richard requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Hunter offered **House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1644, Page 1, Section A, Line 2, by inserting after all of said line the following:

"143.011. **1.** A tax is hereby imposed for every taxable year on the Missouri taxable income of every resident.

**2. For all taxable years ending on or before December 31, 2007,** the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:

<b>If the Missouri taxable income is:</b>	<b>The tax is:</b>
Not over \$1,000.00 .....	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000 .....	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000 .....	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000 .....	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000 .....	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000 .....	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000 .....	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000 .....	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000 .....	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000 .....	\$315 plus 6% of excess over \$9,000

**3. For all taxable years beginning on or after January 1, 2008, the tax shall be determined by applying the tax table or the rate provided in section 143.021, which is based upon the following rates:**

<b>If the Missouri taxable income is:</b>	<b>The tax is:</b>
---	--------------------

Not over \$1,000.00 .....	1 1/2% of the Missouri taxable income
Over \$1,000 but not over \$2,000 .....	\$15 plus 2% of excess over \$1,000
Over \$2,000 but not over \$3,000 .....	\$35 plus 2 1/2% of excess over \$2,000
Over \$3,000 but not over \$4,000 .....	\$60 plus 3% of excess over \$3,000
Over \$4,000 but not over \$5,000 .....	\$90 plus 3 1/2% of excess over \$4,000
Over \$5,000 but not over \$6,000 .....	\$125 plus 4% of excess over \$5,000
Over \$6,000 but not over \$7,000 .....	\$165 plus 4 1/2% of excess over \$6,000
Over \$7,000 but not over \$8,000 .....	\$210 plus 5% of excess over \$7,000
Over \$8,000 but not over \$9,000.....	\$260 plus 5 1/2% of excess over \$8,000
Over \$9,000 but not over \$50,000.....	\$315 plus 6% of excess over \$9,000
Over \$50,000.....	\$2,775 plus 6 1/2% of excess over \$50,000

4. All additional revenues received as a result of the changes to the tax rates in subsection 3 of this section shall be dedicated, upon appropriation, to restoring cuts in Medicaid funding.

143.021. 1. For all taxable years ending on or before December 31, 2007, every resident having a taxable income of less than nine thousand dollars shall determine his tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below nine thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of nine thousand dollars or more shall determine his tax from the rate provided in section 143.011.

2. For all taxable years beginning on or after January 1, 2008, every resident having a taxable income of less than fifty thousand dollars shall determine the tax from a tax table prescribed by the director of revenue and based upon the rates provided in section 143.011. The tax table shall be on the basis of one hundred dollar increments of taxable income below fifty thousand dollars. The tax provided in the table shall be the amount rounded to the nearest whole dollar by applying the rates in section 143.011 to the taxable income at the midpoint of each increment, except there shall be no tax on a taxable income of less than one hundred dollars. Every resident having a taxable income of fifty thousand dollars or more shall determine the tax from the rate provided in section 143.011."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Roorda raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

Representative Richard requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Muschany offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for House Bill No. 1644, Page 3, Line 20, by removing the words, "**upon appropriation**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Muschany, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cox	Cunningham 145	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 048

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Daus
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	Liese	Lowe 44	McClanahan	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Salva	Scavuzzo	Schieffer	Shively
Skaggs	Talboy	Villa	Walsh	Whorton
Wildberger	Witte	Yaeger		

PRESENT: 000

ABSENT WITH LEAVE: 028

Cooper 120	Cooper 155	Corcoran	Cunningham 86	Darrough
Donnelly	Harris 23	Haywood	Hughes	LeVota
Low 39	Marsh	McGhee	Meadows	Meiners
Rucker	Schoemehl	Spreng	Stevenson	Storch
Swinger	Todd	Vogt	Walton	Wright-Jones
Young	Zimmerman	Zweifel		

VACANCIES: 002

Representative Hunter moved that **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 001

Hunter

NOES: 146

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 014

Darrough	Donnelly	Harris 23	LeVota	Marsh
McGhee	Meadows	Meiners	Spreng	Swinger
Todd	Wright-Jones	Young	Zweifel	

VACANCIES: 002

On motion of Representative Muschany, **House Amendment No. 1** was adopted.

Representative Lembke offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for House Bill No. 1644, Page 1, In the Title, Line 3, by deleting all of said line and inserting in lieu thereof the following:

"relating to income and fuel taxes, with an emergency clause."; and

Further amend said bill, Page 1, Section A, Line 2, by inserting after all of said line the following:

"142.803. 1. A tax is levied and imposed on all motor fuel used or consumed in this state as follows:

(1) Motor fuel, seventeen cents per gallon, **except as provided in subsection 3 of this section;**

(2) Alternative fuels, not subject to the decal fees as provided in section 142.869, with a power potential equivalent of motor fuel. In the event alternative fuel, which is not commonly sold or measured by the gallon, is used in motor vehicles on the highways of this state, the director is authorized to assess and collect a tax upon such alternative fuel measured by the nearest power potential equivalent to that of one gallon of regular grade gasoline. The determination by the director of the power potential equivalent of such alternative fuel shall be prima facie correct;

(3) Aviation fuel used in propelling aircraft with reciprocating engines, nine cents per gallon as levied and imposed by section 155.080, RSMo, to be collected as required under this chapter.

2. All taxes, surcharges and fees are imposed upon the ultimate consumer, but are to be precollected as described in this chapter, for the facility and convenience of the consumer. The levy and assessment on other persons as specified in this chapter shall be as agents of this state for the precollection of the tax.

**3. (1) The retail fuel consumer may seek reimbursement from the state for all state fuel taxes paid on gasoline and diesel fuel purchases made in the state for personal use in the personal motor vehicle of the retail consumer from 12:01 a.m. on May 24, 2008, and ending at 12:00 a.m. on September 2, 2008.**

**(2) This subsection shall not be construed to apply to any tax, excise, license, or fee imposed by any political subdivision under subsection 3 of section 30(a), article IV, Constitution of Missouri.**

**(3) All revenue losses of the Missouri department of transportation resulting from the fuel tax holiday contained in this subsection shall be reimbursed by the state of Missouri through appropriations.**

**(4) The director of the department of revenue may promulgate rules to implement the provisions of this subsection. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this subsection shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This subsection and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.";** and

Further amend said bill, Page 4, Section 143.171, Line 76, by inserting after all of said line the following:

"Section B. Because immediate action is necessary to provide funding for a fuel tax holiday, the repeal and reenactment of section 142.803 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 142.803 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Nieves assumed the Chair.

Representative Zimmerman offered **House Amendment No. 1 to House Amendment No. 2.**

Representative Silvey raised a point of order that **House Amendment No. 1 to House Amendment No. 2** goes beyond the scope of the amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 2 to House Amendment No. 2.**

*House Amendment No. 2*  
to  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for House Bill No. 1644, Section 142.803, Page 2, Line 24, by inserting after all of said line of said amendment the following:

**"Section 1. No state and local sales and use tax shall apply to any fuel exempted by the fuel tax holiday under section 142.803.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Roorda raised a point of order that **House Amendment No. 2 to House Amendment No. 2** goes beyond the scope of the amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Portwood, **House Amendment No. 2 to House Amendment No. 2** was adopted.

On motion of Representative Lembke, **House Amendment No. 2, as amended**, was adopted by the following vote:

AYES: 125

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Cooper 155	Corcoran	Cox
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	May	McClanahan
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14

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Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 016

Burnett	Daus	Dougherty	El-Amin	George
Johnson	Kuessner	Lowe 44	Oxford	Robinson
Skaggs	Talboy	Villa	Vogt	Whorton
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 020

Chappelle-Nadal	Cooper 120	Cunningham 145	Darrough	Donnelly
Harris 23	Haywood	Hughes	LeVota	Low 39
Marsh	Meadows	Meiners	Nasheed	Spreng
Swinger	Todd	Walton	Wright-Jones	Young

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Daus	Davis	Day	Deeken	Denison
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Ruestman	Ruzicka	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Tilley	Viebrock
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 049

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Dougherty
Fallert	Frame	George	Grill	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Johnson
Komo	Kratky	Kuessner	Lampe	Liese
Lowe 44	McClanahan	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Salva



Scavuzzo	Schieffer	Schoemehl	Skaggs	Storch
Talboy	Villa	Vogt	Walsh	Whorton
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 028

Chappelle-Nadal	Cooper 120	Darrough	Dethrow	Donnelly
El-Amin	Harris 23	Haywood	Hughes	Hunter
LeVota	Low 39	Marsh	Meadows	Meiners
Richard	Rucker	Sander	Shively	Spreng
Swinger	Threlkeld	Todd	Wallace	Walton
Wildberger	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Muschany, **HCS HB 1644, as amended**, was adopted by the following vote:

AYES: 102

Avery	Baker 123	Bivins	Brandom	Brown 30
Brown 50	Bruns	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Mr Speaker			

NOES: 039

Aull	Baker 25	Bland	Bringer	Burnett
Corcoran	Curls	Daus	Dougherty	Fallert
Frame	George	Harris 110	Hodges	Holsman
Johnson	Kratky	Kuessner	Liese	Lowe 44
McClanahan	Nasheed	Oxford	Robinson	Roorda
Rucker	Salva	Schoemehl	Skaggs	Storch
Talboy	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Zimmerman	Zweifel	

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PRESENT: 000

ABSENT WITH LEAVE: 020

Chappelle-Nadal	Cooper 120	Darrough	Deeken	Donnelly
El-Amin	Harris 23	Haywood	Hughes	LeVota
Low 39	Marsh	Meadows	Meiners	Spreng
Swinger	Todd	Walton	Wright-Jones	Young

VACANCIES: 002

On motion of Representative Muschany, **HCS HB 1644, as amended**, was ordered perfected and printed by the following vote:

AYES: 104

Avery	Baker 123	Bivins	Brandom	Brown 30
Brown 50	Bruns	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	El-Amin
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grill	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kraus	Lampe	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Yates	Mr Speaker	

NOES: 037

Aull	Baker 25	Bland	Bringer	Burnett
Corcoran	Curls	Daus	Dougherty	Fallert
Frame	George	Harris 110	Hodges	Holsman
Johnson	Kratky	Kuessner	Liese	Lowe 44
McClanahan	Nasheed	Oxford	Robinson	Rucker
Schoemehl	Skaggs	Storch	Talboy	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 020

Chappelle-Nadal	Cooper 120	Darrough	Donnelly	Harris 23
Haywood	Hughes	LeVota	Low 39	Marsh
Meadows	Meiners	Pollock	Salva	Spreng
Swinger	Todd	Walton	Wright-Jones	Young

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

### THIRD READING OF SENATE BILLS

**SB 1068**, relating to a pharmacy rebate program, was taken up by Representative Sater.

Representative Sater offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Bill No. 1068, Section A, Page 1, Lines 1-2, by inserting after all of said section the following:

**"338.600. 1. Notwithstanding any other provision of law to the contrary, when an audit of the records of a pharmacy licensed in this state is conducted by a managed care company, insurance company, third-party payor, the department of insurance, financial institutions and professional registration, or any entity that represents such companies, groups, or department, such audit shall be conducted in accordance with the following:**

**(1) The entity conducting the initial on-site audit shall provide the pharmacy with notice at least one week prior to conducting the initial on-site audit for each audit cycle;**

**(2) Any audit which involves clinical judgment shall be conducted by or in consultation with a licensed pharmacist;**

**(3) Any clerical or recordkeeping error, such as a typographical error, scriveners error, or computer error, regarding a required document or record shall not in and of itself constitute fraud or grounds for recoupment. No claim arising under this subdivision shall be subject to criminal penalties without proof of intent to commit fraud;**

**(4) A pharmacy may use the records of a hospital, physician, or other authorized practitioner of the healing arts involving drugs or medicinal supplies written or transmitted by any means of communication for purposes of validating the pharmacy record with respect to orders or refills of a legend or narcotic drug. Electronically stored images of prescriptions, electronically created annotations and other related supporting documentation shall be considered valid prescription records. Hard copy and electronic signature logs that indicate the delivery of pharmacy services shall be considered valid proof of receipt of such services by a program enrollee;**

**(5) A finding of an overpayment or underpayment may be a projection based on the number of patients served and having a similar diagnosis or on the number of similar orders or refills for similar drugs; except that, recoupment of claims shall be based on the actual overpayment or underpayment unless the projection for overpayment or underpayment is part of a settlement as agreed to by the pharmacy;**

**(6) Each pharmacy shall be audited under the same standards and parameters as other similarly situated pharmacies audited by the entity;**

**(7) A pharmacy shall be allowed at least thirty days following receipt of the preliminary audit report in which to produce documentation to address any discrepancy found during an audit;**

**(8) The period covered by the audit shall not exceed a two-year period beginning two years prior to the initial date of the on-site portion of the audit unless otherwise provided by contractual agreement or if there has been a previous finding of fraud or as otherwise provided by state or federal law;**

**(9) An audit shall not be initiated or scheduled during the first three business days of any month due to the high volume of prescriptions filled during such time unless otherwise consented to by the pharmacy;**

(10) The preliminary audit report shall be delivered to the pharmacy within one hundred twenty days after conclusion of the audit, with reasonable extensions permitted. A final audit report shall be delivered to the pharmacy within six months of receipt by the pharmacy of the preliminary audit report or final appeal, as provided for in subsection 3 of this section, whichever is later;

(11) Notwithstanding any other provision in this subsection, the entity conducting the audit shall not use the accounting practice of extrapolation in calculating recoupments or penalties for audits, except as otherwise authorized under subdivision (5) of this subsection.

2. Recoupments of any disputed moneys shall only occur after final internal disposition of the audit, including the appeals process set forth in subsection 3 of this section. Should the identified discrepancy for an individual audit exceed twenty five thousand dollars, future payments to the pharmacy in excess of twenty five thousand dollars may be withheld pending finalization of the audit.

3. Each entity conducting an audit shall establish an appeals process, lasting no longer than six months, under which a licensed pharmacy may appeal an unfavorable preliminary audit report to the entity. If, following such appeal, the entity finds that an unfavorable audit report or any portion thereof is unsubstantiated, the entity shall dismiss the audit report or such portion without the necessity of any further proceedings.

4. Each entity conducting an audit shall provide a copy of the final audit report, after completion of any appeal process, to the plan sponsor.

5. This section shall not apply to any audit conducted as a part of an investigation regarding alleged criminal wrongdoing, willful misrepresentation, or abuse.

6. This section shall not apply to any audit conducted as part of any inspection or investigation conducted by the board of pharmacy."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

On motion of Representative Sater, **House Amendment No. 1** was adopted.

Representative Schaaf offered **House Amendment No. 2**.

Representative Skaggs raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Curls offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND Senate Bill No. 1068, Section A, Page 1, Line 2, by inserting after all of said line the following:

"338.410. 1. Due to the difficulties of Fibromyalgia patients receiving pharmaceutical treatments there is hereby created within the department of health and senior services the "Missouri Fibromyalgia Awareness Initiative Program". The primary target population for such program shall be women between twenty and sixty years of age.

2. The department shall appoint and convene the "Missouri Fibromyalgia Panel" to be comprised of individuals, who shall act in a voluntary capacity, with knowledge and expertise regarding fibromyalgia research, prevention, educational programs, and consumer needs, to guide program development. The panel shall seek and is authorized to accept private, federal, or other public financial support, grants, or other appropriate moneys

to support the program. The department shall provide the panel and program necessary administrative services and support.

**3. The panel shall have the following duties:**

(1) In consultation with the National Fibromyalgia Association, to raise at least fifty thousand dollars through private funding for the purpose of establishing a public information and outreach campaign for issues related to fibromyalgia, including appropriate educational material to promote early diagnosis and treatment, prevention of complications, improvement of quality of life at home and in the workplace, and addressing mental health and disability issues of fibromyalgia patients; and

(2) To work with other state and local agencies to promote fibromyalgia education and training programs for physicians and other health professionals.

**4. This section shall be implemented only to the extent that the panel obtains private funding for the purpose of this section."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curls, **House Amendment No. 3** was adopted.

On motion of Representative Sater, **SB 1068, as amended**, was read the third time and passed by the following vote:

AYES: 125

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Hoskins	Hubbard
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	May	McClanahan	McGhee	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 014

Burnett	Chappelle-Nadal	Daus	Holsman	Low 39
Lowe 44	Roorda	Storch	Talboy	Villa
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 25	Corcoran	Darrough	Donnelly	Franz
Haywood	Hughes	Hunter	LeVota	Marsh
Meadows	Meiners	Oxford	Page	Robinson
Salva	Spreng	Swinger	Todd	Walton
Wright-Jones	Young			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS SCS SB 830**, relating to the Returning Heroes' Education Act, was taken up by Representative Day.

Representative Frame offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 830, Page 1, Section 173.900, Line 4, by striking the following:

"after September 11, 2001"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pearce resumed the Chair.

Representative Frame moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 065

Aull	Bland	Bringer	Brown 30	Burnett
Casey	Cooper 155	Curls	Daus	Dixon
Dusenberg	El-Amin	Emery	Fallert	Flook
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hubbard	Johnson	Jones 89
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Low 39	McClanahan	Meadows	Nance	Nasheed
Oxford	Portwood	Pratt	Quinn 9	Roorda
Rucker	Scavuzzo	Schaaf	Schieffer	Schoemehl
Self	Shively	Silvey	Skaggs	Storch
Talboy	Threlkeld	Villa	Walsh	Whorton
Witte	Yaeger	Yates	Zimmerman	Zweifel

NOES: 072

Avery	Baker 123	Bivins	Brandom	Brown 50
Bruns	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Ervin
Faith	Fares	Fisher	Franz	Funderburk

Grisamore	Guest	Hobbs	Hoskins	Icet
Jones 117	Kasten	Kelly	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nieves
Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 024

Baker 25	Chappelle-Nadal	Cooper 120	Corcoran	Darrough
Donnelly	Dougherty	Harris 23	Hughes	Hunter
Lowe 44	Marsh	Meiners	Page	Robinson
Salva	Spreng	Swinger	Todd	Vogt
Walton	Wildberger	Wright-Jones	Young	

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

Representative Schoemehl offered **House Amendment No. 2.**

Representative Jones (89) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Pearce resumed the Chair.

Representative Skaggs offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 830, Page 1, Section 173.900, Line 10, by inserting immediately before the ", " on said line the following:

**"and shall charge no tuition for disabled combat veterans";** and

Further amend said section, Lines 14, 15, and 16, by striking all of said lines and inserting in lieu thereof the following:

**"degree";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Avery offered **House Substitute Amendment No. 1 for House Amendment No. 3.**

Representative Bringer raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 3** is not a true substitute amendment.

Representative Pearce requested a parliamentary ruling.

**House Substitute Amendment No. 1 for House Amendment No. 3** was withdrawn.

Representative Avery offered **House Amendment No. 1 to House Amendment No. 3**.

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 830, Section 173.900, Page 1, Line 4, by deleting the words, "**armed combat in the military**" and inserting in lieu thereof the words, "**federally recognized combat zone**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS SCS SB 830, with House Amendment No. 1 to House Amendment No. 3, and House Amendment No. 3, pending**, was laid over.

## COMMITTEE REPORTS

**Committee on Conservation and Natural Resources**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **HB 2460**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SS SCS SJRs 34 & 30**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SBs 754 & 794**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



**Committee on Health Care Policy**, Chairman Cooper (155) reporting:

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 768**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SS SCS SB 778**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Health Care Policy, to which was referred **SCS SB 1081**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Local Government**, Chairman Schneider reporting:

Mr. Speaker: Your Committee on Local Government, to which was referred **SCS SB 765**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Local Government, to which was referred **SB 845**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HR 185**, begs leave to report it has examined the same and recommends that it **Do Pass**.

HOUSE RESOLUTION NO. 185

WHEREAS, Section 21.155, RSMo, provides that the House of Representatives may, by resolution, continue in employment such number of efficient employees after any adjournment of a regular session or sine die adjournment of the General Assembly as may be necessary for operation of the House; and

WHEREAS, the House of Representatives will have need for secretarial, administrative, and research, budget, and support staff after the adjournment of the House on May 16, 2008; and

WHEREAS, employees of the House of Representatives are designated and funded in House Bill No. 2012, including those employees who may be needed for veto, special, or extraordinary sessions of the House:

NOW, THEREFORE, BE IT RESOLVED that the Missouri House of Representatives, Ninety-fourth General Assembly, may employ for the period between May 16, 2008, and January 7, 2009, such employees as are necessary to perform the duties of the House, not to exceed that amount authorized pursuant to appropriation. Such employees shall include necessary secretarial, administrative, and research, budget, and support staff personnel appointed by the Speaker whose terms of employment are established by the Committee on Administration and Accounts.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HCR 27**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1468**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1582 & 1963**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 1736 & 2320**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 718**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 762**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 781**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 976**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 1225 & 1226**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HB 1678**, entitled:

An act to repeal sections 41.1010, 42.007, 160.053, 160.518, 168.021, 170.011, and 620.515, RSMo, and to enact in lieu thereof nine new sections relating to members of the military and their families.

With Senate Amendment No. 2 and Senate Amendment No. 4.

### *Senate Amendment No. 2*

AMEND Senate Substitute for House Bill No. 1678, Page 56, Section 173.234, Line 18, by inserting immediately after all of said line the following:

**"173.900. 1. This act shall be known and may be cited as the "Missouri Returning Heroes' Education Act".**

**2. For the purpose of this section, the term "combat veteran" shall mean a person who served in armed combat in the military after September 11, 2001, and to whom the following criteria shall apply:**

- (1) The veteran was a Missouri resident when first entering the military; and**
- (2) The veteran was discharged from military service under honorable conditions.**

3. All public institutions of higher education that receive any state funds appropriated by the general assembly shall limit the amount of tuition such institutions charge to combat veterans to fifty dollars per credit hour, as long as the veteran achieves and maintains a cumulative grade point average of at least two and one-half on a four point scale, or its equivalent. The tuition limitation shall only be applicable if the combat veteran is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. The period during which a combat veteran is eligible for a tuition limitation under this section shall expire at the end of the ten-year period beginning on the date of such veteran's last discharge from service.

4. The coordinating board for higher education shall ensure that all applicable institutions of higher education in this state comply with the provisions of this section and may promulgate rules for the efficient implementation of this section.

5. If a combat veteran is eligible to receive financial assistance under any other federal or state student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the veteran. The tuition limitation under this section shall be provided after all other federal and state aid for which the veteran is eligible has been applied, and no combat veteran shall receive more than the actual cost of attendance when the limitation is combined with other aid made available to such veteran.

6. Each institution may report to the board the amount of tuition waived in the previous fiscal year under the provisions of this act. This information may be included in each institution's request for appropriations to the board for the following year. The board may include this information in its appropriations recommendations to the governor and the general assembly. The general assembly may reimburse institutions for the cost of the waiver for the previous year as part of the operating budget. Nothing in this subsection shall be construed to deny a combat veteran a tuition limitation if the general assembly does not appropriate money for reimbursement to an institution.

7. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 4*

AMEND Senate Substitute for House Bill No. 1678, Page 56, Section 173.234, Line 18, by inserting immediately after said line the following:

"452.412. A party's absence, relocation, or failure to comply with custody and visitation orders shall not, by itself, be sufficient to justify a modification of a custody or visitation order if the reason for the absence, relocation, or failure to comply is the party's activation to military service and deployment out-of-state."; and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 841, as amended**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 865**, entitled:

An act to repeal section 143.141, RSMo, and to enact in lieu thereof two new sections relating to prohibiting discrimination in life insurance based upon lawful travel destinations, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 939** and has taken up and passed **HCS SCS SB 939**.

### COMMUNICATION

April 29, 2008

The Honorable Rod Jetton  
Speaker, Missouri House of  
Representatives  
Room 308 State Capitol Building  
Jefferson City, MO 65101

Dear Speaker Jetton:

The following HRs have been offered and turned over to your Committee on Rules. Your Committee on Rules approves the following 2008 HR requests.

<b>HR 11</b>	<b>HR 123</b>	<b>HR 297</b>	<b>HR 447</b>	<b>HR 1691</b>
<b>HR 18</b>	<b>HR 124</b>	<b>HR 327</b>	<b>HR 702</b>	<b>HR 1747</b>
<b>HR 26</b>	<b>HR 134</b>	<b>HR 340</b>	<b>HR 887</b>	
<b>HR 62</b>	<b>HR 140</b>	<b>HR 440</b>	<b>HR 902</b>	

These HRs request the use of the House Chamber for various organization meetings, when it is not in use. Some of these event requests have already taken place. As in the past, the procedure is to instruct Keith Sappington to schedule the use of the Chamber for these groups. This practice saves Floor time and has worked well in past years.

Thank you for your attention to this.

/s/ Shannon Cooper  
State Representative  
District 120

cc: Keith Sappington

### ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, May 1, 2008.

## **COMMITTEE MEETINGS**

### **AGRICULTURE POLICY**

Thursday, May 1, 2008, 9:15 a.m. Hearing Room 6.  
Executive session may follow. CORRECTED NOTICE.  
Public hearing to be held on: HB 1884

### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 1, 2008, 8:00 a.m. Senate Lounge.  
Executive session may follow. CANCELLED.  
Public hearings to be held on: SCS HCS HB 2002, SCS HCS HB 2003,  
SCS HB 2004, SCS HCS HB 2005, SCS HCS HB 2006, SCS HCS HB 2007,  
SCS HCS HB 2008, SCS HCS HB 2009, SCS HCS HB 2010, SCS HCS HB 2011,  
SCS HCS HB 2012, SCS HCS HB 2013

### **CRIME PREVENTION AND PUBLIC SAFETY**

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 3.  
EXECUTIVE SESSION ONLY.

### **FISCAL REVIEW**

Thursday, May 1, 2008, 8:30 a.m. Hearing Room 5.  
Any bills presented to this committee.

### **JOINT COMMITTEE ON EDUCATION**

Tuesday, May 6, 2008, 1:00 p.m. Hearing Room 7.  
Election of Chairman and Vice Chairman.  
Discussion of Department of Elementary and Secondary  
Education's Professional Development Grants.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, May 5, 2008, 12:00 p.m. Hearing Room 6.  
Second Injury Fund reports; testimony from Attorney General and State Treasurer's offices;  
criminal codes revision project; old and new business.  
Some portions may be closed pursuant to 610.021.

### **JUDICIARY**

Thursday, May 1, 2008, Hearing Room 7 upon afternoon adjournment.  
Executive session may follow.  
Public hearings to be held on: HCS SCS SB 781, HCS SB 976

### **RULES**

Thursday, May 1, 2008, Hearing Room 5 upon afternoon adjournment.  
Executive session may follow.  
Public hearing to be held on: HB 1484

**RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, May 1, 2008, Hearing Room 5 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: HCS SCS SB 994, SS SB 1159,  
HCS SCS SB 720, HCS SCS SBs 754 & 794, SCR 31,  
HCS HBs 2281, 2489 & 2537, HB 1594, HCS HB 2460, HCS HJR 64

**SPECIAL COMMITTEE ON IMMIGRATION**

Thursday, May 1, 2008, House Chamber side gallery upon afternoon adjournment.

Executive session will be held.

**SPECIAL COMMITTEE ON PROFESSIONAL REGISTRATION AND LICENSING**

Thursday, May 1, 2008, 8:00 a.m. Hearing Room 7.

Executive session may follow.

Public hearings to be held on: HB 2594, SCS SB 788

**HOUSE CALENDAR**

SIXTY-THIRD DAY, THURSDAY, MAY 1, 2008

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter

- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard

#### **HOUSE BILLS FOR PERFECTION - INFORMAL**

- 1 HB 1911 - Muschany
- 2 HB 1806 - Schaaf
- 3 HCS HBs 2040 & 2430, as amended - Jetton

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HCS HB 2260 - Storch
- 3 HB 1957 - Hughes
- 4 HCS HB 1644, E.C. - Muschany

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **SENATE BILL FOR SECOND READING**

SCS SB 865

#### **HOUSE CONCURRENT RESOLUTION**

HCR 11, (3-05-08, Pages 421-422) - Nolte

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt



**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 839 - Harris (110)
- 3 HCS SB 1010 - Stevenson
- 4 HCS SCS SB 830, HA 1 to HA 3, HA 3, pending - Day
- 5 HCS SB 932 - Grisamore
- 6 SB 955 - Wildberger
- 7 SB 970 - May
- 8 HCS SB 1175 - Cox
- 9 HCS SS SCS SB 711 - Sutherland
- 10 HCS SCS SB 907 - Cooper (120)
- 11 HCS SB 1288, E.C. - Cooper (120)
- 12 HCS SCS SB 901 - Hunter
- 13 SB 1038, E.C. - Cox
- 14 HCS SCS SB 724 - Jones (117)

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HB 2224 - Jones (117)
- 2 SCS HCS HB 2188 - Pearce
- 3 SS SCS HCS HB 1779, as amended - Emery

**BILLS CARRYING REQUEST MESSAGES**

- 1 HCS SB 958, (request House recede/grant conference) - Schad
- 2 HCS SB 841, as amended (request House recede/grant conference) - St. Onge

**BILLS IN CONFERENCE**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet
- 13 HCS SS SCS SB 931, as amended - Munzlinger

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-THIRD DAY, THURSDAY, MAY 1, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we give You glory and bless Your Holy name.

Today, may we hear the Word You give us in the proverb, "To practice justice is a joy for the just, but terror for evildoers". (*Proverbs 21:15*)

Lord God, may justice be the theme that unites all the bills and topics of our work today. When we are weighing the content of one bill or considering the levels of importance among several, may justice be our standard.

In our decisions, may we distribute justice, and find Your Word living in us: To practice justice is a joy for the just.

To You be glory and honor forever and ever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Nichole Wilberg, Melissa Wilberg, Michelle Wilberg, Harry Godwin and Michaela Godwin.

The Journal of the sixty-second day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2486 through House Resolution No. 2529

## SECOND READING OF SENATE BILL

SCS SB 865 was read the second time.

## BILLS CARRYING REQUEST MESSAGES

HCS SB 841, as amended, relating to vehicle weight regulations, was taken up by Representative St. Onge.

Representative St. Onge moved that the House refuse to recede from its position on **HCS SB 841, as amended**, and grant the Senate a conference.

Which motion was adopted.

**HCS SB 958**, relating to tree trimming by electric suppliers, was taken up by Representative Schad.

Representative Schad moved that the House refuse to recede from its position on **HCS SB 958** and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton assumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HCS SB 841:** Representatives St. Onge, Cooper (120), Wasson, Fallert and Meadows

**HCS SB 958:** Representatives Schad, Sutherland, Hobbs, Walsh and Bringer

Speaker Pro Tem Pratt resumed the Chair.

### **THIRD READING OF SENATE BILL**

**HCS SCS SB 724**, relating to advanced practice registered nurses, was taken up by Representative Jones (117).

Representative Jones (117) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, Page 3, Section 334.104, Line 15, by inserting after the section number "**195.017, RSMo**" the following:

**"; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in schedules III, IV, and V of section 195.017, RSMo, for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures"; and**

Further amend said bill, Page 4, Section 334.104, Line 64, by inserting after the word "pharmacy." the following:

**"Any rules relating to dispensing or distribution of controlled substances by prescription or prescription drug orders under this section shall be subject to the approval of the department of health and senior services and the state board of pharmacy."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Jones (117), **House Amendment No. 1** was adopted.

Representative Bruns offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, In the Title, Line 3, by deleting the word "nurses" and inserting in lieu thereof "controlled substances"; and

Further amend said substitute, Section A, Page 1, Line 3, by inserting immediately after said line the following:

"195.017. 1. The department of health and senior services shall place a substance in Schedule I if it finds that the substance:

(1) Has high potential for abuse; and  
(2) Has no accepted medical use in treatment in the United States or lacks accepted safety for use in treatment under medical supervision.

2. Schedule I:

(1) The controlled substances listed in this subsection are included in Schedule I;  
(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, unless specifically excepted, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

- (a) Acetyl-alpha-methylfentanyl;
- (b) Acetylmethadol;
- (c) Allylprodine;
- (d) Alphacetylmethadol;
- (e) Alphameprodine;
- (f) Alphamethadol;
- (g) Alpha-methylfentanyl;
- (h) Alpha-methylthiofentanyl;
- (i) Benzethidine;
- (j) Betacetylmethadol;
- (k) Beta-hydroxyfentanyl;
- (l) Beta-hydroxy-3-methylfentanyl;
- (m) Betameprodine;
- (n) Betamethadol;
- (o) Betaprodine;
- (p) Clonitazene;
- (q) Dextromoramide;
- (r) Diampromide;
- (s) Diethylthiambutene;
- (t) Difenoxin;
- (u) Dimenoxadol;
- (v) Dimepheptanol;
- (w) Dimethylthiambutene;
- (x) Dioxaphetyl butyrate;
- (y) Dipipanone;
- (z) Ethylmethylthiambutene;
- (aa) Etonitazene;
- (bb) Etoxeridine;
- (cc) Furethidine;
- (dd) Hydroxypethidine;
- (ee) Ketobemidone;
- (ff) Levomoramide;
- (gg) Levophenacilmorphan;
- (hh) 3-Methylfentanyl;

- (ii) 3-Methylthiofentanyl;
- (jj) Morpheridine;
- (kk) MPPP;
- (ll) Noracymethadol;
- (mm) Norlevorphanol;
- (nn) Normethadone;
- (oo) Norpipanone;
- (pp) Para-fluorofentanyl;
- (qq) PEPAP;
- (rr) Phenadoxone;
- (ss) Phenampromide;
- (tt) Phenomorphan;
- (uu) Phenoperidine;
- (vv) Piritramide;
- (ww) Proheptazine;
- (xx) Properidine;
- (yy) Propiram;
- (zz) Racemoramide;
- (aaa) Thiofentanyl;
- (bbb) Tilidine;
- (ccc) Trimeperidine;

(3) Any of the following opium derivatives, their salts, isomers and salts of isomers unless specifically excepted, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (a) Acetorphine;
- (b) Acetyldihydrocodeine;
- (c) Benzylmorphine;
- (d) Codeine methylbromide;
- (e) Codeine-N-Oxide;
- (f) Cyprenorphine;
- (g) Desomorphine;
- (h) Dihydromorphine;
- (i) Drotebanol;
- (j) Etorphine[; (except Hydrochloride Salt)] (**except hydrochloride salt**);
- (k) Heroin;
- (l) Hydromorphanol;
- (m) Methyldesorphine;
- (n) Methyldihydromorphine;
- (o) Morphine methylbromide;
- (p) Morphine [methyl sulfonate] **methylsulfonate**;
- (q) Morphine-N-Oxide;
- (r) [Morphine] **Myrophine**;
- (s) Nicocodeine;
- (t) Nicomorphine;
- (u) Normorphine;
- (v) Pholcodine;
- (w) Thebacon;

(4) Any material, compound, mixture or preparation which contains any quantity of the following hallucinogenic substances, their salts, isomers and salts of isomers, unless specifically excepted, whenever the existence of these salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) [4-bromo-2,5-dimethoxyamphetamine] **4-bromo-2, 5-dimethoxyamphetamine**;
- (b) 4-bromo-2, 5-dimethoxyphenethylamine;
- (c) 2,5-dimethoxyamphetamine;
- (d) 2,5-dimethoxy-4-ethylamphetamine;
- (e) 2,5-dimethoxy-4-(n)-propylthiophenethylamine;
- (f) 4-methoxyamphetamine;

- (g) 5-methoxy-3,4-methylenedioxyamphetamine;
- (h) [4-methyl-2,5-dimethoxy amphetamine] **4-methyl-2, 5-dimethoxyamphetamine**;
- (i) 3,4-methylenedioxyamphetamine;
- (j) 3,4-methylenedioxymethamphetamine;
- (k) 3,4-methylenedioxy-N-ethylamphetamine;
- (l) [N-hydroxy-3, 4-methylenedioxyamphetamine] **N-hydroxy-3, 4-methylenedioxyamphetamine**;
- (m) 3,4,5-trimethoxyamphetamine;
- (n) Alpha-ethyltryptamine;
- (o) [Benzylpiperazine or B.P.] **Alpha-methyltryptamine**;
- (p) Bufotenine;
- (q) Diethyltryptamine;
- (r) Dimethyltryptamine;
- (s) **5-methoxy-N,N-diisopropyltryptamine**;
- (t) Ibogaine;
- [(t)] **(u)** Lysergic acid diethylamide;
- [(u)] **(v)** Marijuana[; (Marihuana)] **or marihuana**;
- [(v)] **(w)** Mescaline;
- [(w)] **(x)** Parahexyl;
- [(x)] **(y)** Peyote, to include all parts of the plant presently classified botanically as *Lophophora Williamsii* Lemaire, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seed or extracts;
- [(y)] **(z)** N-ethyl-3-piperidyl benzilate;
- [(z)] **(aa)** N-methyl-3-piperidyl benzilate;
- [(aa)] **(bb)** Psilocybin;
- [(bb)] **(cc)** Psilocyn;
- [(cc)] **(dd)** Tetrahydrocannabinols **naturally contained in a plant of the genus Cannabis (cannabis plant), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:**
  - a. 1 cis or trans tetrahydrocannabinol, and their optical isomers;**
  - b. 6 cis or trans tetrahydrocannabinol, and their optical isomers;**
  - c. 3,4 cis or trans tetrahydrocannabinol, and their optical isomers;**
  - d. Any compounds of these structures, regardless of numerical designation of atomic positions covered;**
- [(dd)] **(ee)** Ethylamine analog of phencyclidine;
- [(ee)] **(ff)** Pyrrolidine analog of phencyclidine;
- [(ff)] **(gg)** Thiophene analog of phencyclidine;
- [(gg)] 1-(3-Trifluoromethylphenyl)piperazine or TFMPP;
- (hh) [1-(1-(2-thienyl)cyclohexyl) pyrrolidine] **1-(1-(2-thienyl)cyclohexyl)pyrrolidine**;
- (ii) *Salvia divinorum*;
- (jj) Salvinorin A;
- (5) Any material, compound, mixture or preparation containing any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers and salts of isomers whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:
  - (a) [Gamma hydroxybutyric] **Gamma-hydroxybutyric acid**;
  - (b) Mecloqualone;
  - (c) Methaqualone;
- (6) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:
  - (a) Aminorex;
  - (b) **N-benzylpiperazine**
  - (c) Cathinone;
  - [(c)] **(d)** Fenethylamine;
  - [(d)] **(e)** Methcathinone;
  - [(e)] **(f)** [(+)-cis-4-methylaminorex ((+)-cis-4,5-dihydro- 4-methyl-5-phenyl-2-oxazoline)] **(+,-)-cis-4-methylaminorex ((+,-)-cis-4,5-dihydro-4-methyl-5-phenyl-2-oxazoline)**;
  - [(f)] **(g)** N-ethylamphetamine;

[(g)] (h) N,N-dimethylamphetamine;

(7) A temporary listing of substances subject to emergency scheduling under federal law shall include any material, compound, mixture or preparation which contains any quantity of the following substances:

(a) [N-(1-benzyl-4-piperidyl)-N-phenyl-propanamide] **N-(1-benzyl-4-piperidyl)-N phenylpropanamide** (benzylfentanyl), its optical isomers, salts and salts of isomers;

(b) N-(1-(2-thienyl)methyl-4-piperidyl)-N-phenylpropanamide (thenylfentanyl), its optical isomers, salts and salts of isomers;

[(c) Alpha-Methyltryptamine, or (AMT);

(d) 5-Methoxy-N,N-Diisopropyltryptamine, or(5-MeO-DIPT);]

(8) Khat, to include all parts of the plant presently classified botanically as *catha edulis*, whether growing or not; the seeds thereof; any extract from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seed or extracts.

3. The department of health and senior services shall place a substance in Schedule II if it finds that:

(1) The substance has high potential for abuse;

(2) The substance has currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions; and

(3) The abuse of the substance may lead to severe psychic or physical dependence.

4. The controlled substances listed in this subsection are included in Schedule II:

(1) Any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(a) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrorphan, nalbuphine, nalmeferine, naloxone and naltrexone, and their respective salts but including the following:

a. Raw opium;

b. Opium extracts;

c. Opium fluid;

d. Powdered opium;

e. Granulated opium;

f. Tincture of opium;

g. Codeine;

h. Ethylmorphine;

i. Etorphine hydrochloride;

j. Hydrocodone;

k. Hydromorphone;

l. Metopon;

m. Morphine;

n. Oxycodone;

o. Oxymorphone;

p. Thebaine;

(b) Any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in this subdivision, but not including the isoquinoline alkaloids of opium;

(c) Opium poppy and poppy straw;

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, derivative, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions which do not contain cocaine or ecgonine;

(e) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy);

(2) Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation, dextrorphan and levopropoxyphene excepted:

(a) Alfentanil;

(b) Alphaprodine;

(c) Anileridine;

(d) Bezitramide;

(e) Bulk [Dextropropoxyphene] **dextropropoxyphene**;

- (f) Carfentanil;
- (g) Butyl nitrite;
- (h) Dihydrocodeine;
- (i) Diphenoxylate;
- (j) Fentanyl;
- (k) Isomethadone;
- (l) Levo-alphaacetylmethadol;
- (m) Levomethorphan;
- (n) Levorphanol;
- (o) Metazocine;
- (p) Methadone;
- (q) Meperidine;
- (r) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- (s) Moramide-Intermediate, 2-methyl-3-morpholino-1, 1-diphenylpropane--carboxylic acid;
- (t) Pethidine (**meperidine**);
- (u) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;
- (v) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;
- (w) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- (x) Phenazocine;
- (y) Piminodine;
- (z) Racemethorphan;
- (aa) Racemorphan;
- (bb) **Remifentanil**;
- (cc) Sufentanil;

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

- (a) Amphetamine, its salts, optical isomers, and salts of its optical isomers;
- (b) **Lisdexamfetamine, its salts, isomers, and salts of its isomers**;
- (c) Methamphetamine, its salts, isomers, and salts of its isomers;
- [(c)] (d) Phenmetrazine and its salts;
- [(d)] (e) Methylphenidate;

(4) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) Amobarbital;
- (b) Glutethimide;
- (c) Pentobarbital;
- (d) Phencyclidine;
- (e) Secobarbital;
- (5) Any material[, compound] or compound which contains any quantity of nabilone;
- (6) Any material, compound, mixture, or preparation which contains any quantity of the following substances:
  - (a) Immediate precursor to amphetamine and methamphetamine: Phenylacetone;
  - (b) Immediate precursors to phencyclidine (PCP):
    - a. 1-phenylcyclohexylamine;
    - b. 1-piperidinocyclohexanecarbonitrile (PCC).

5. The department of health and senior services shall place a substance in Schedule III if it finds that:

- (1) The substance has a potential for abuse less than the substances listed in Schedules I and II;
- (2) The substance has currently accepted medical use in treatment in the United States; and
- (3) Abuse of the substance may lead to moderate or low physical dependence or high psychological dependence.

6. The controlled substances listed in this subsection are included in Schedule III:

(1) Any material, compound, mixture, or preparation which contains any quantity of the following substances having a potential for abuse associated with a stimulant effect on the central nervous system:

- (a) Benzphetamine;
- (b) Chlorphentermine;
- (c) Clortermine;



- (d) Phendimetrazine;
- (2) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances or salts having a depressant effect on the central nervous system:
  - (a) Any material, compound, mixture or preparation which contains any quantity or salt of the following substances combined with one or more active medicinal ingredients:
    - a. Amobarbital;
    - b. [Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in a drug product for which an application has been approved under Section 505 of the Federal Food, Drug, and Cosmetic Act;]
    - [c.] Secobarbital;
    - [d.] **c.** Pentobarbital;
  - (b) Any suppository dosage form containing any quantity or salt of the following:
    - a. Amobarbital;
    - b. Secobarbital;
    - c. Pentobarbital;
  - (c) Any substance which contains any quantity of a derivative of barbituric acid or its salt;
  - (d) Chlorhexadol;
  - (e) **Embutramide;**
  - (f) **Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers contained in a drug product for which an application has been approved under Section 505 of the federal Food, Drug, and Cosmetic Act;**
  - [e)] (g) Ketamine, its salts, isomers, and salts of isomers;
  - [f)] (h) Lysergic acid;
  - [g)] (i) Lysergic acid amide;
  - [h)] (j) Methyprylon;
  - [i)] (k) Sulfondiethylmethane;
  - [j)] (l) Sulfonethylmethane;
  - [k)] (m) Sulfonmethane;
  - [l)] (n) Tiletamine and zolazepam or any salt thereof;
- (3) Nalorphine;
- (4) Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs or their salts:
  - (a) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;
  - (b) Not more than 1.8 grams of codeine per one hundred milliliters or not more than ninety milligrams per dosage unit with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
  - (c) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium;
  - (d) Not more than three hundred milligrams of hydrocodone per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;
  - (e) Not more than 1.8 grams of dihydrocodeine per one hundred milliliters or **not** more than ninety milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;
  - (f) Not more than three hundred milligrams of ethylmorphine per one hundred milliliters or not more than fifteen milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
  - (g) Not more than five hundred milligrams of opium per one hundred milliliters or per one hundred grams or not more than twenty-five milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts;
  - (h) Not more than fifty milligrams of morphine per one hundred milliliters or per one hundred grams, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;
- (5) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts, as set forth in subdivision (6) of this subsection; buprenorphine;
- (6) Anabolic steroids. Any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, [and] corticosteroids, **and dehydroepiandrosterone**) that promotes muscle growth, except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration. If any person prescribes, dispenses, or distributes such steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this paragraph. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing

any quantity of the following substances, including its salts, **esters and ethers** [isomers and salts of isomers whenever the existence of such salts of isomers is possible within the specific chemical designation]:

- (a) [Boldenone;
- (b) Chlorotestosterone (4-Chlortestosterone);
- (c) Clostebol;
- (d) Dehydrochlormethyltestosterone;
- (e) Dihydrotestosterone (4-Dihydro-testosterone);
- (f) Drostanolone;
- (g) Ethylestrenol;
- (h) Fluoxymesterone;
- (i) Formebolone (Formebolone);
- (j) Mesterolone;
- (k) Methandienone;
- (l) Methandranone;
- (m) Methandriol;
- (n) Methandrostenolone;
- (o) Methenolone;
- (p) Methyltestosterone;
- (q) Mibolerone;
- (r) Nandrolone;
- (s) Norethandrolone;
- (t) Oxandrolone;
- (u) Oxymesterone;
- (v) Oxymetholone;
- (w) Stanolone;
- (x) Stanozolol;
- (y) Testolactone;
- (z) Testosterone;
- (aa) Trenbolone;
- (bb)] **3 $\beta$ ,17-dihydroxy-5 $\alpha$ -androstane;**
- (b) **3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane;**
- (c) **5 $\alpha$ -androstan-3,17-dione;**
- (d) **1-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);**
- (e) **1-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androst-1-ene);**
- (f) **4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-4-ene);**
- (g) **5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxy-androst-5-ene);**
- (h) **1-androstenedione ([5 $\alpha$ ]-androst-1-en-3,17-dione);**
- (i) **4-androstenedione (androst-4-en-3,17-dione);**
- (j) **5-androstenedione (androst-5-en-3,17-dione);**
- (k) **Bolasterone (7 $\alpha$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);**
- (l) **Boldenone (17 $\beta$ -hydroxyandrost-1,4,-diene-3-one);**
- (m) **Calusterone (7 $\beta$ , 17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyandrost-4-en-3-one);**
- (n) **Clostebol (4-chloro-17 $\beta$ -hydroxyandrost-4-en-3-one);**
- (o) **Dehydrochloromethyltestosterone (4-chloro-17 $\beta$ -hydroxy-17 $\alpha$ -methyl-androst-1,4-dien-3-one);**
- (p)  **$\Delta$ 1-dihydrotestosterone (a.k.a. '1-testosterone')(17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);**
- (q) **4-dihydrotestosterone (17 $\beta$ -hydroxy-androstan-3-one);**
- (r) **Drostanolone (17 $\beta$ -hydroxy-2 $\alpha$ -methyl-5 $\alpha$ -androstan-3-one);**
- (s) **Ethylestrenol (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-ene);**
- (t) **Fluoxymesterone (9-fluoro-17 $\alpha$ -methyl-11 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-en-3-one);**
- (u) **Formebolone (2-formyl-17 $\alpha$ -methyl-11 $\alpha$ ,17 $\beta$ -dihydroxyandrost-1,4-dien-3-one);**
- (v) **Furazabol (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrostan-2,3-c-furazan);**
- (w) **13 $\beta$ -ethyl-17 $\beta$ -hydroxygon-4-en-3-one;**
- (x) **4-hydroxytestosterone (4,17 $\beta$ -dihydroxy-androst-4-en-3-one);**
- (y) **4-hydroxy-19-nortestosterone (4,17 $\beta$ -dihydroxy-estr-4-en-3-one);**
- (z) **Mestanolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-5-androstan-3-one);**
- (aa) **Mesterolone (1 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);**

- (bb) Methandienone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-1,4-dien-3-one);
- (cc) Methandriol (17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-5-ene);
- (dd) Methenolone (1-methyl-17 $\beta$ -hydroxy-5 $\alpha$ -androst-1-en-3-one);
- (ee) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);
- (ff) 17 $\alpha$ -methyl-3 $\alpha$ ,17 $\beta$ -dihydroxy-5 $\alpha$ -androstane);
- (gg) 17 $\alpha$ -methyl-3 $\beta$ ,17 $\beta$ -dihydroxyandrost-4-ene;
- (hh) 17 $\alpha$ -methyl-4-hydroxynandrolone (17 $\alpha$ -methyl-4-hydroxy-17 $\beta$ -hydroxyestr-4-en-3-one);
- (ii) Methyldienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9(10)-dien-3-one);
- (jj) Methyltrienolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestra-4,9-11-trien-3-one);
- (kk) Methyltestosterone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyandrost-4-en-3-one);
- (ll) Mibolerone (7 $\alpha$ ,17 $\alpha$ -dimethyl-17 $\beta$ -hydroxyestr-4-en-3-one);
- (mm) 17 $\alpha$ -methyl- $\Delta$ 1-dihydrotestosterone (17 $\beta$ -hydroxy-17 $\alpha$ -methyl-5 $\alpha$ -androst-1-en-3-one) (a.k.a. '17- $\alpha$ -methyl-1-testosterone');
- (nn) Nandrolone (17 $\beta$ -hydroxyestr-4-ene-3-one);
- (oo) 19-nor-4-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-4-ene);
- (pp) 19-nor-4-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-4-ene);
- (qq) 19-nor-5-androstenediol (3 $\beta$ ,17 $\beta$ -dihydroxyestr-5-ene);
- (rr) 19-nor-5-androstenediol (3 $\alpha$ ,17 $\beta$ -dihydroxyestr-5-ene);
- (ss) 19-nor-4-androstenedione (estr-4-en-3,17-dione);
- (tt) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- (uu) Norbolethone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4-en-3-one);
- (vv) Norclostebol (4-chloro-17 $\beta$ -hydroxyestr-4-en-3-one);
- (ww) Norethandrolone (17 $\alpha$ -ethyl-17 $\beta$ -hydroxyestr-4-en-3-one);
- (xx) Normethandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxyestr-4-en-3-one);
- (yy) Oxandrolone (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-2-oxa-[5 $\alpha$ ]-androstan-3-one);
- (zz) Oxymesterone (17 $\alpha$ -methyl-4,17 $\beta$ -dihydroxyandrost-4-en-3-one);
- (aaa) Oxymethalone (17 $\alpha$ -methyl-2-hydroxymethylene-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androstan-3-one);
- (bbb) Stanozolol (17 $\alpha$ -methyl-17 $\beta$ -hydroxy-[5 $\alpha$ ]-androst-2-eno[3,2-c]-pyrazole);
- (ccc) Stenbolone (17 $\beta$ -hydroxy-2-methyl-[5 $\alpha$ ]-androst-1-en-3-one);
- (ddd) Testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic acid lactone);
- (eee) Testosterone (17 $\beta$ -hydroxyandrost-4-en-3-one);
- (fff) Tetrahydrogestrinone (13 $\beta$ ,17 $\alpha$ -diethyl-17 $\beta$ -hydroxygon-4,9,11-trien-3-one);
- (ggg) Trenbolone (17 $\beta$ -hydroxyestr-4,9,11-trien-3-one);
- (hhh) Any salt, ester, or [isomer] ether of a drug or substance described or listed in this subdivision, [if that salt, ester or isomer promotes muscle growth] except an anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and which has been approved by the Secretary of Health and Human Services for that administration;

(7) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product. [Some other names for dronabinol: (6aR-trans)-6a,7,8,10a-tetrahydro-6,6,9-trimethyl-3-pentyl-6H-dibenzo (b,d) pyran-1-ol, or (-)- delta-9-(trans)-tetrahydracannabinol];

(8) The department of health and senior services may except by rule any compound, mixture, or preparation containing any stimulant or depressant substance listed in subdivisions (1) and (2) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a stimulant or depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a stimulant or depressant effect on the central nervous system.

7. The department of health and senior services shall place a substance in Schedule IV if it finds that:

- (1) The substance has a low potential for abuse relative to substances in Schedule III;
- (2) The substance has currently accepted medical use in treatment in the United States; and
- (3) Abuse of the substance may lead to limited physical dependence or psychological dependence relative to the substances in Schedule III.

8. The controlled substances listed in this subsection are included in Schedule IV:

(1) Any material, compound, mixture, or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below:

(a) Not more than one milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(b) Dextropropoxyphene [(alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane)]  
**(alpha-(+)-4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionoxybutane);**

(c) Any of the following limited quantities of narcotic drugs or their salts, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- a. Not more than two hundred milligrams of codeine per one hundred milliliters or per one hundred grams;
- b. Not more than one hundred milligrams of dihydrocodeine per one hundred milliliters or per one hundred grams;
- c. Not more than one hundred milligrams of ethylmorphine per one hundred milliliters or per one hundred grams;

(2) Any material, compound, mixture or preparation containing any quantity of the following substances, including their salts, isomers, and salts of isomers whenever the existence of those salts, isomers, and salts of isomers is possible within the specific chemical designation:

- (a) Alprazolam;
- (b) Barbitol;
- (c) Bromazepam;
- (d) Camazepam;
- (e) Chloral betaine;
- (f) Chloral hydrate;
- (g) Chlordiazepoxide;
- (h) Clobazam;
- (i) Clonazepam;
- (j) Clorazepate;
- (k) Clotiazepam;
- (l) Cloxazolam;
- (m) Delorazepam;
- (n) Diazepam;
- (o) Dichloralphenazone;
- (p) Estazolam;
- (q) Ethchlorvynol;
- (r) Ethinamate;
- (s) Ethyl loflazepate;
- (t) Fludiazepam;
- (u) Flunitrazepam;
- (v) Flurazepam;
- (w) Halazepam;
- (x) Haloxazolam;
- (y) Ketazolam;
- (z) Loprazolam;
- (aa) Lorazepam;
- (bb) Lormetazepam;
- (cc) Mebutamate;
- (dd) Medazepam;
- (ee) Meprobamate;
- (ff) Methohexital;
- (gg) Methylphenobarbital (**mephobarbital**);
- (hh) Midazolam;
- (ii) Nimetazepam;
- (jj) Nitrazepam;
- (kk) Nordiazepam;
- (ll) Oxazepam;
- (mm) Oxazolam;
- (nn) Paraldehyde;
- (oo) Petrichloral;
- (pp) Phenobarbital;
- (qq) Pinazepam;

- (rr) Prazepam;
- (ss) Quazepam;
- (tt) Temazepam;
- (uu) Tetrazepam;
- (vv) Triazolam;
- (ww) Zaleplon;
- (xx) Zolpidem;
- (yy) Zopiclone;**

(3) Any material, compound, mixture, or preparation which contains any quantity of the following substance including its salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible: fenfluramine;

(4) Any material, compound, mixture or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system, including their salts, isomers and salts of isomers:

- (a) Cathine ((+)-norpseudoephedrine);
- (b) Diethylpropion;
- (c) Fencamfamin;
- (d) Fenproporex;
- (e) Mazindol;
- (f) Mefenorex;
- (g) Modafinil;
- (h) Pemoline, including organometallic complexes and chelates thereof;
- (i) Phentermine;
- (j) Pipradrol;
- (k) Sibutramine;
- (l) SPA ((-)-1-dimethylamino-1,2-diphenylethane);

(5) Any material, compound, mixture or preparation containing any quantity of the following substance, including its salts:

- (a) butorphanol;
- (b) pentazocine;

(6) Ephedrine, its salts, optical isomers and salts of optical isomers, when the substance is the only active medicinal ingredient;

(7) The department of health and senior services may except by rule any compound, mixture, or preparation containing any depressant substance listed in subdivision (1) of this subsection from the application of all or any part of sections 195.010 to 195.320 if the compound, mixture, or preparation contains one or more active medicinal ingredients not having a depressant effect on the central nervous system, and if the admixtures are included therein in combinations, quantity, proportion, or concentration that vitiate the potential for abuse of the substances which have a depressant effect on the central nervous system.

9. The department of health and senior services shall place a substance in Schedule V if it finds that:

- (1) The substance has low potential for abuse relative to the controlled substances listed in Schedule IV;
- (2) The substance has currently accepted medical use in treatment in the United States; and
- (3) The substance has limited physical dependence or psychological dependence liability relative to the controlled substances listed in Schedule IV.

10. The controlled substances listed in this subsection are included in Schedule V:

(1) Any compound, mixture or preparation containing any of the following narcotic drugs or their salts calculated as the free anhydrous base or alkaloid, in limited quantities as set forth below, which also contains one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

- (a) Not more than two and five-tenths milligrams of diphenoxylate and not less than twenty-five micrograms of atropine sulfate per dosage unit;
- (b) Not more than one hundred milligrams of opium per one hundred milliliters or per one hundred grams;
- (c) Not more than five-tenths milligram of difenoxin and not less than twenty-five micrograms of atropine sulfate per dosage unit;

(2) Any material, compound, mixture or preparation which contains any quantity of the following substance having a stimulant effect on the central nervous system including its salts, isomers and salts of isomers: pyrovalerone;

(3) Any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine or its salts or optical isomers, or salts of optical isomers or any compound, mixture, or preparation containing any detectable quantity of ephedrine or its salts or optical isomers, or salts of optical isomers;

**(4) Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts: pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].**

11. If any compound, mixture, or preparation as specified in subdivision (3) of subsection 10 of this section is dispensed, sold, or distributed in a pharmacy without a prescription:

(1) All packages of any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician; and

(2) Any person purchasing, receiving or otherwise acquiring any compound, mixture, or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers shall be at least eighteen years of age; and

(3) The pharmacist, **intern pharmacist**, or registered pharmacy technician shall require any person, **prior to their** purchasing, receiving or otherwise acquiring such compound, mixture, or preparation[, who is not known to the pharmacist or registered pharmacy technician.] to furnish suitable photo identification **that is issued by a state or the federal government or a document that, with respect to identification, is considered acceptable and** showing the date of birth of the person;

**(4) The seller shall deliver the product directly into the custody of the purchaser.**

12. [Within ninety days of the enactment of this section.] Pharmacists, **intern pharmacists**, and registered pharmacy technicians shall implement and maintain [a written or] **an** electronic log of each transaction. Such log shall include the following information:

(1) The name [and], address, **and signature** of the purchaser;

(2) The amount of the compound, mixture, or preparation purchased;

(3) The date **and time** of each purchase; and

(4) The name or initials of the pharmacist, **intern pharmacist**, or registered pharmacy technician who dispensed the compound, mixture, or preparation to the purchaser.

**13. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in subdivision (3) of subsection 10 of this section in accordance with transmission methods and frequency established by the department by regulation;**

**14.** No person shall dispense, sell, purchase, receive, or otherwise acquire quantities greater than those specified in this chapter.

[14.] **15.** [Within thirty days of the enactment of this section.] All persons who dispense or offer for sale pseudoephedrine and ephedrine products in a pharmacy shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[15. Within thirty days of the enactment of this section, any business entity which sells ephedrine or pseudoephedrine products in the course of legitimate business which is in the possession of pseudoephedrine and ephedrine products, and which does not have a state and federal controlled substances registration, shall return these products to a manufacturer or distributor or transfer them to an authorized controlled substances registrant.]

16. Any person who knowingly or recklessly violates the provisions of subsections 11 to 15 of this section is guilty of a class A misdemeanor.

17. The scheduling of substances specified in subdivision (3) of subsection 10 of this section and subsections 11, 12, 14, and 15 of this section shall not apply to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel capsule form or to any compound, mixture, or preparation specified in subdivision (3) of subsection 10 of this section which must be dispensed, sold, or distributed in a pharmacy pursuant to a prescription.

18. The manufacturer of a drug product or another interested party may apply with the department of health and senior services for an exemption from this section. The department of health and senior services may grant an exemption by rule from this section if the department finds the drug product is not used in the illegal manufacture of methamphetamine or other controlled or dangerous substances. The department of health and senior services shall rely on reports from law enforcement and law enforcement evidentiary laboratories in determining if the proposed product can be used to manufacture illicit controlled substances.

19. The department of health and senior services shall revise and republish the schedules annually.

20. The department of health and senior services shall promulgate rules under chapter 536, RSMo, regarding the security and storage of Schedule V controlled substances, as described in subdivision (3) of subsection 10 of this section, for distributors as registered by the department of health and senior services.

**21. Logs of transactions required to be kept and maintained by this section and section 195.417, shall create a rebuttable presumption that the person whose name appears in the logs is the person whose transactions are recorded in the logs.";** and

Further amend said substitute, Section 195.100, Page 3, Line 25, by inserting immediately after said line the following:

"195.417. 1. The limits specified in [subsection 2 of] this section shall not apply to any quantity of such product, mixture, or preparation **which must be dispensed, sold, or distributed in a pharmacy** pursuant to a valid prescription.

2. Within any thirty-day period, no person shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, **phenylpropanolamine**, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:

- (1) The sole active ingredient; or
- (2) One of the active ingredients of a combination drug; or
- (3) A combination of any of the products specified in subdivisions (1) and (2) of this subsection;

in any total amount greater than nine grams, **without regard to the number of transactions.**

3. **Within any twenty-four hour period, no pharmacist, intern pharmacist, or registered pharmacy technician shall sell, dispense, or otherwise provide to the same individual, and no person shall purchase, receive, or otherwise acquire more than the following amount: any number of packages of any drug product containing any detectable amount of ephedrine, phenylpropanolamine, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, either as:**

- (1) **The sole active ingredient; or**
- (2) **One of the active ingredients of a combination drug; or**
- (3) **A combination of any of the products specified in subdivisions (1) and (2) of this subsection; in any**

**total amount greater than three and six tenths grams without regard to the number of transactions.**

4. All packages of any compound, mixture, or preparation containing any detectable quantity of ephedrine, **phenylpropanolamine**, or pseudoephedrine, or any of their salts or optical isomers, or salts of optical isomers, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall be offered for sale only from behind a pharmacy counter where the public is not permitted, and only by a registered pharmacist or registered pharmacy technician under section 195.017.

**[4.] 5. Each pharmacy shall submit information regarding sales of any compound, mixture, or preparation as specified in this section in accordance with transmission methods and frequency established by the department by regulation;**

6. This section shall supersede and preempt any local ordinances or regulations, including any ordinances or regulations enacted by any political subdivision of the state. This section shall not apply to [any products that the state department of health and senior services, upon application of a manufacturer, exempts by rule from this section because the product has been formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine, or its salts or precursors or to] the sale of any animal feed products containing ephedrine or any naturally occurring or herbal ephedra or extract of ephedra.

**7. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.**

[5. Persons selling and dispensing substances containing any detectable amount of pseudoephedrine, its salts or optical isomers, or salts of optical isomers or ephedrine, its salts or optical isomers, or salts of optical isomers shall maintain logs, documents, and records as specified in section 195.017. Persons selling only compounds, mixtures, or preparations that are excluded from Schedule V in subsection 17 or 18 of section 195.017 shall not be required to maintain such logs, documents, and records. All logs, records, documents, and electronic information maintained for the dispensing of these products shall be open for inspection and copying by municipal, county, and state or federal law enforcement officers whose duty it is to enforce the controlled substances laws of this state or the United States.

6.] **8.** Within thirty days of June 15, 2005, all persons who dispense or offer for sale pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, shall ensure that all such products are located only behind a pharmacy counter where the public is not permitted.

[7. Within thirty days of June 15, 2005, any business entity which sells ephedrine or pseudoephedrine products in the course of legitimate business which is in the possession of pseudoephedrine and ephedrine products, except those that are excluded from Schedule V in subsection 17 or 18 of section 195.017, and which does not have a state and federal controlled substances registration, shall return these products to a manufacturer or distributor or transfer them to an authorized controlled substance registrant.

8.] **9.** Any person who knowingly or recklessly violates this section is guilty of a class A misdemeanor.

[9. The provisions of subsection 2 of this section limiting individuals from purchasing the specified amount in any thirty-day period shall not apply to any compounds, mixtures, or preparations that are in liquid or liquid-filled gel capsule form. However, no person shall purchase, receive, or otherwise acquire more than nine grams of any compound, mixture, or preparation excluded in subsection 17 or 18 of section 195.017, in a single purchase as provided in subsection 2 of this section.]"; and

Further amend said substitute, Section 335.019, Page 9, Line 20, by inserting immediately after said line the following:

"Section B. The repeal and reenactment of sections 195.017 and 195.417 of this act shall become effective January 1, 2009."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Hobbs assumed the Chair.

Representative Roorda offered **House Amendment No. 1 to House Amendment No. 2.**

Representative Cooper (120) assumed the Chair.

**House Amendment No. 1 to House Amendment No. 2** was withdrawn.

On motion of Representative Bruns, **House Amendment No. 2** was adopted.

Representative Portwood offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, Page 1, In the Title, Line 2, by deleting "and 335.016" and inserting in lieu thereof the following:

", 335.016, and 335.076"; and

Further amend said bill, Page 1, In the Title, Line 3, by deleting the word "five" and inserting in lieu thereof the word "six"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting "and 335.016" and inserting in lieu thereof the following:

", 335.016, and 335.076"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word "five" and inserting in lieu thereof the word "six"; and



Further amend said bill, Page 1, Section A, Line 3, by deleting "and 335.019" and inserting in lieu thereof the following:

", 335.019, and 335.076"; and

Further amend said bill, Page 9, Section 335.019, Line 20, by inserting after all of said line the following:

"335.076. 1. Any person who holds a license to practice professional nursing in this state may use the title "Registered Professional Nurse" and the abbreviation "R.N.". No other person shall use the title "Registered Professional Nurse" or the abbreviation "R.N.". No other person shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is a registered professional nurse.

2. Any person who holds a license to practice practical nursing in this state may use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall use the title "Licensed Practical Nurse" or the abbreviation "L.P.N.". No other person shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is a licensed practical nurse.

3. Any person who holds a license or recognition to practice advanced practice nursing in this state may use the title "Advanced Practice Registered Nurse", and the abbreviation "APRN", and any other title designations appearing on his or her license. No other person shall use the title "Advanced Practice Registered Nurse" or the abbreviation "APRN". No other person shall assume any title or use any abbreviation or any other words, letters, signs, or devices to indicate that the person using the same is an advanced practice registered nurse.

4. No person shall practice or offer to practice professional nursing, practical nursing, or advanced practice nursing in this state or use any title, sign, abbreviation, card, or device to indicate that such person is a practicing professional nurse, practical nurse, or advanced practice nurse unless he or she has been duly licensed under the provisions of this chapter.

5. In the interest of public safety and consumer awareness, it is unlawful for any person to use the title "nurse" in reference to himself or herself in any capacity, except individuals who are or have been licensed as a registered nurse, licensed practical nurse, or advanced practice registered nurse under this chapter.

6. Notwithstanding any law to the contrary, nothing in this chapter shall prohibit a [person listed as a] Christian Science nurse [in the Christian Science Journal published by the Christian Science Publishing Society, Boston, Massachusetts,] from using the title "Christian Science nurse", so long as such person provides **only** religious nonmedical services when offering or providing **such** services to [a member of his or her own religious organization and does not hold his or her own religious organization] **those who choose to rely upon healing by spiritual means alone** and does not hold himself or herself out as a registered nurse, advanced practice registered nurse, nurse practitioner, licensed practical nurse, nurse midwife, clinical nurse specialist, or nurse anesthetist, unless otherwise authorized by law to do so."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 3** was adopted.

On motion of Representative Jones (117), **HCS SCS SB 724, as amended**, was adopted.

On motion of Representative Jones (117), **HCS SCS SB 724, as amended**, was read the third time and passed by the following vote:

AYES: 125

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood

Hobbs	Hodges	Hoskins	Hunter	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Lipke	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	St. Onge	Storch	Stream
Sutherland	Thomson	Tilley	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 017

Cunningham 86	Curls	Daus	Dusenberg	El-Amin
Holsman	Hubbard	Hughes	Kasten	Liese
Onder	Page	Schaaf	Stevenson	Talboy
Vogt	Yaeger			

PRESENT: 002

Oxford                      Threlkeld

ABSENT WITH LEAVE: 017

Avery	Bland	Corcoran	Darrough	Harris 23
Loehner	Marsh	Meiners	Moore	Muschany
Spreng	Swinger	Todd	Viebrock	Walton
Wright-Jones	Young			

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

### **HOUSE BILLS WITH SENATE AMENDMENTS**

**SS SCS HCS HB 1779, as amended**, relating to telecommunications services, was taken up by Representative Emery.

**SS SCS HCS HB 1779, as amended**, was laid over.

**SCS HCS HB 2188**, relating to mortgage fraud, was taken up by Representative Pearce.

On motion of Representative Pearce, **SCS HCS HB 2188** was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Hunter
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	Lowe 44	May	McClanahan
McGhee	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

LeVota	Oxford	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 012

Corcoran	Darrough	Marsh	Meadows	Meiners
Muschany	Robinson	Spreng	Swinger	Todd
Wright-Jones	Young			

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Pearce, **SCS HCS HB 2188** was truly agreed to and finally passed by the following vote:

AYES: 141

Aull	Baker 25	Baker 123	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 005

Burnett	Hughes	Lowe 44	Oxford	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Bivins	Corcoran	Darrough	Marsh
Meadows	Meiners	Muschany	Robinson	Spreng
Swinger	Threlkeld	Todd	Wright-Jones	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**THIRD READING OF HOUSE BILL**

**HCS HB 2260**, relating to a qualified research expenses credit, was taken up by Representative Storch.

On motion of Representative Storch, **HCS HB 2260** was read the third time and passed by the following vote:

AYES: 082

Aull	Baker 25	Bland	Brandom	Brown 50
Burnett	Chappelle-Nadal	Cooper 120	Cox	Cunningham 145
Curls	Daus	Day	Dixon	Donnelly
Dougherty	El-Amin	Fallert	Fares	Flook
Frame	Funderburk	Grill	Guest	Harris 23
Haywood	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Johnson	Jones 117	Kasten
Komo	Lampe	LeVota	Liese	Low 39
May	McClanahan	Munzlinger	Nasheed	Nolte
Norr	Oxford	Page	Parson	Pearce
Quinn 7	Richard	Robb	Roorda	Rucker
Ruestman	Salva	Schlottach	Schneider	Silvey
Skaggs	Smith 14	St. Onge	Storch	Sutherland
Talboy	Threlkeld	Tilley	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Weter
Whorton	Wildberger	Wilson 119	Witte	Zimmerman
Zweifel	Mr Speaker			

NOES: 063

Baker 123	Bivins	Bringer	Brown 30	Bruns
Casey	Cunningham 86	Davis	Deeken	Denison
Dethrow	Dusenberg	Emery	Ervin	Faith
Fisher	Franz	George	Grisamore	Harris 110
Hodges	Icet	Jones 89	Kelly	Kingery
Kratky	Kraus	Kuessner	Lembke	Lipke
Loehner	McGhee	Moore	Nance	Nieves
Onder	Parkinson	Pollock	Portwood	Pratt
Quinn 9	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schoeller
Schoemehl	Self	Shively	Smith 150	Stevenson
Stream	Thomson	Wells	Wilson 130	Wood
Wright 159	Yaeger	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Cooper 155	Corcoran	Darrough	Lowe 44
Marsh	Meadows	Meiners	Muschany	Robinson
Spreng	Swinger	Todd	Viebrock	Wright-Jones
Young				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

# MOTION

Representative Tilley moved that the Missouri Senate return to the Missouri House of Representatives **SS SCS SB 944**, relating to state auditor compensation for bond registration, for the sole purpose of reconsidering the vote on the emergency clause.

Which motion was adopted by the following:

AYES: 134

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
May	McClanahan	McGhee	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 008

Chappelle-Nadal	Daus	George	Hughes	Lowe 44
Skaggs	Talboy	Whorton		

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Corcoran	Darrough	Johnson	LeVota
Low 39	Marsh	Meadows	Meiners	Muschany
Robinson	Spreng	Swinger	Todd	Viebrock
Wildberger	Wright-Jones	Young	Zweifel	

VACANCIES: 002

### THIRD READING OF SENATE BILLS

**HCS SCS SB 907**, relating to petroleum fuel storage tanks, was taken up by Representative Cooper (120).

Representative Cooper (120) offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 907, Section 260.1003, Page 2, Line 33, by inserting immediately after said line the following:

"319.109. The department shall establish requirements for the reporting of any releases and corrective action taken in response to a release from an underground storage tank, including the specific quantity of a regulated substance, which if released, requires reporting and corrective action. In so doing, the department shall use risk-based corrective standards which take into account the level of risk to public health and the environment associated with site-specific conditions and future land usage. The hazardous waste management commission is authorized to promulgate rules to implement this section, in accordance with section 319.137. **By February 13, 2009, the hazardous waste management commission shall propose rules to implement the provisions of this section.** To the extent there is a conflict between this section and section 644.143, RSMo, or 644.026, RSMo, this section shall prevail."; and

Further amend said substitute, Section 319.129, Page 4, Lines 53-54, by deleting all of said lines and inserting in lieu thereof the following:

"8. [All] **The board of trustees shall be a type III agency and shall appoint an executive director and other employees as needed, who shall be state employees and be eligible for all corresponding benefits. The executive director shall have charge of the offices, operations, records, and other employees of the board, subject to the direction of the board. Employees of the board shall receive such salaries and necessary expenses as shall be fixed by the board.**"; and

Further amend said substitute, Section 319.131, Page 5, Line 13, by deleting the open bracket "[" in the first instance and the closed bracket "]" in the first instance; and

Further amend said substitute, said section, Page 7, Line 77, by deleting the word "**available**"; and

Further amend said substitute, said section, Page 8, Line 133, by inserting immediately after the word "**subsection**" the following:

**", provided the creditor, who is a successor in interest as provided in subdivision (2) of subsection 3 of this section, is subject to no greater or lesser responsibility for corrective action than such successor in interest would have on or before December 31, 2017"; and**

Further amend said substitute, said section, Page 9, Line 144, by inserting immediately after the word "**subsection**" the following:

**", provided the creditor, who is a successor in interest as provided in subdivision (2) of subsection 3 of this section, is subject to no greater or lesser responsibility for corrective action than such successor in interest would have on or before December 31, 2017"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) assumed the Chair.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

Representative Stevenson offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 907, Page 1, Section A, Line 3, by inserting after said line the following:

"49.292. 1. Notwithstanding any other law to the contrary, the county commission of any county may reject the transfer of title of real property to the county by donation or dedication if the commission determines that such rejection is in the public interest of the county.

2. No transfer of title of real property to the county commission or any other political subdivision by donation or dedication authorized to be recorded in the office of the recorder of deeds shall be valid unless it has been proved or acknowledged. The preparer of the document relating to subsection 1 of this section shall not submit a document to the recorder of deeds for recording unless the acceptance thereof of the grantee named in the document has been proved or acknowledged. **No water or sewer line easement shall be construed as a transfer of title of real property under this subsection.**"; and

Further amend said bill, Page 12, Section 414.072, Line 13, by inserting after said line the following:

**"442.558. 1. As used in this section, the following terms shall mean:**

(1) **"Transfer", the sale, gift, conveyance, assignment, inheritance, or other transfer of ownership interest in real property located in this state;**

(2) **"Transfer fee", a fee or charge payable upon the transfer of an interest in real property, or payable for the right to make or accept such transfer, regardless of whether the fee or charge is a fixed amount or is determined as a percentage of the value of the property, the purchase price, or other consideration given for the transfer. Transfer fee shall not include the following:**

(a) **Any consideration payable by the grantee to the grantor for the interest in real property being transferred;**

(b) **Any commission payable to a licensed real estate broker for the transfer of real property under an agreement between the broker and the grantor or the grantee;**

(c) **Any interest, charges, fees, or other amounts payable by a borrower to a lender under a loan secured by a mortgage against real property, including but not limited to any fee payable to the lender for consenting to an assumption of the loan or a transfer of the real property subject to the mortgage, any fees or charges payable to the lender for estoppel letters or certificates, and any other consideration allowed by law and payable to the lender in connection with the loan;**

(d) **Any rent, reimbursement, charge, fee, or other amount payable by a lessee to a lessor under a lease, including but not limited to any fee payable to the lessor for consenting to an assignment, subletting, encumbrance, or transfer of the lease;**

(e) **Any consideration payable to the holder of an option to purchase an interest in real property or the holder of a right of first refusal or first offer to purchase an interest in real property for waiving, releasing, or not exercising the option or right upon the transfer of the property to another person;**

(f) **Any tax, fee, charge, assessment, fine, or other amount payable to or imposed by a governmental authority;**

(3) **"Transfer fee covenant", a declaration or covenant purporting to affect real property which requires or purports to require the payment of a transfer fee to the declarant or other person specified in the declaration or covenant or to their successors or assigns upon a subsequent transfer of an interest in the real property.**

2. **A transfer fee covenant recorded in this state on or after September 1, 2008, shall not run with the title to real property and is not binding on or enforceable at law or in equity against any subsequent owner, purchaser, or mortgagee of any interest in real property as an equitable servitude or otherwise. Any lien purporting to secure the payment of a transfer fee under a transfer fee covenant recorded in this state on or after September 1, 2008, is void and unenforceable.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.



Representative Skaggs raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Jones (89) requested a parliamentary ruling.

The point of order was withdrawn.

On motion of Representative Stevenson, **House Amendment No. 2** was adopted.

Representative Wildberger offered **House Amendment No. 3**.

Representative Flook raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

Representative Jones (89) requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Cooper (120), **HCS SCS SB 907, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS SCS SB 907, as amended**, was read the third time and passed by the following vote:

AYES: 135

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Lowe 44
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter

Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 009

Burnett	Dougherty	Frame	Hughes	LeVota
Low 39	Skaggs	Talboy	Wildberger	

PRESENT: 000

ABSENT WITH LEAVE: 017

Chappelle-Nadal	Corcoran	Darrough	Donnelly	Haywood
Marsh	Meiners	Muschany	Robinson	Spreng
Swinger	Todd	Vogt	Walton	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Representative Jones (89) declared the bill passed.

**HCS SCS SB 830, with House Amendment No. 1 to House Amendment No. 3 and House Amendment No. 3, pending**, relating to the Returning Heroes' Education Act, was taken up by Representative Day.

**House Amendment No. 1 to House Amendment No. 3** was withdrawn.

**House Amendment No. 3** was withdrawn.

On motion of Representative Day, **HCS SCS SB 830** was adopted.

On motion of Representative Day, **HCS SCS SB 830** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt

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Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 123	Cooper 120	Corcoran	Darrough	Johnson
Marsh	Meiners	Muschany	Page	Robinson
Spreng	Swinger	Todd	Walton	Wildberger
Wright-Jones	Young	Zweifel		

VACANCIES: 002

Representative Jones (89) declared the bill passed.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate is returning to the House Truly Agreed To and Finally Passed **SS SCS SB 944** for the sole purpose of allowing the House to reconsider the vote on the emergency clause.

### RECONSIDERATION

**SS SCS SB 944**, relating to bond registration fees, was taken up by Representative Robb.

Representative Harris (110), having voted on the prevailing side, moved that the vote by which the emergency clause to **SS SCS SB 944** was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins

Hubbard	Hughes	Hunter	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Lipke	Loehner	Lowe 44	McClanahan	McGhee
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Mr Speaker			

NOES: 002

Skaggs Talboy

PRESENT: 004

Chappelle-Nadal	George	Liese	Wildberger
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ABSENT WITH LEAVE: 018

Corcoran	Darrough	Icet	Johnson	Low 39
Marsh	May	Meadows	Meiners	Muschany
Salva	Schneider	Spreng	Swinger	Todd
Wright-Jones	Young	Zweifel		

VACANCIES: 002

On motion of Representative Robb, the emergency clause to **SS SCS SB 944** was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	McClanahan	McGhee
Meadows	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford

Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Mr Speaker		

NOES: 008

Burnett	Daus	George	Low 39	Roorda
Talboy	Vogt	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper 120	Darrough	Hunter	Johnson	Marsh
May	Meiners	Muschany	Spreng	Swinger
Todd	Walton	Wright-Jones	Young	Zweifel

VACANCIES: 002

### THIRD READING OF SENATE BILL

**SB 839**, relating to lease-purchase school properties, was taken up by Representative Harris (110).

Speaker Jetton resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cox	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Nance	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream

Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 055

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Donnelly
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
McClanahan	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Yaeger	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 25	Cooper 120	Cooper 155	Darrough	Hunter
Johnson	Low 39	Lowe 44	Marsh	Meadows
Meiners	Muschany	Nieves	Quinn 7	Spreng
Swinger	Todd	Walton	Wright-Jones	Young
Zweifel				

VACANCIES: 002

On motion of Representative Harris (110), **SB 839** was truly agreed to and finally passed by the following vote:

AYES: 124

Aull	Avery	Bivins	Bland	Brandom
Bringer	Brown 50	Bruns	Casey	Cooper 155
Corcoran	Cox	Cunningham 86	Curls	Daus
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	El-Amin	Emery	Faith	Fallert
Fares	Fisher	Frame	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Moore
Munzlinger	Nasheed	Nieves	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace

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Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 020

Baker 123	Brown 30	Burnett	Chappelle-Nadal	Cunningham 145
Davis	Dethrow	Dusenberg	Ervin	Flook
Franz	George	Hughes	Hunter	Nance
Nolte	Portwood	Silvey	Talboy	Walsh

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker 25	Cooper 120	Darrough	Johnson	Low 39
Lowe 44	Marsh	Meadows	Meiners	Muschany
Spreng	Swinger	Todd	Walton	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Speaker Jetton declared the bill passed.

### **REFERRAL OF HOUSE BILL**

The following House Bill was referred to the Committee indicated:

**HCS HB 1644** - Fiscal Review (Fiscal Note)

### **REFERRAL OF SENATE CONCURRENT RESOLUTIONS**

The following Senate Concurrent Resolutions were referred to the Committee indicated:

**SCR 29** - Conservation and Natural Resources

**SCR 39** - Special Committee on Student Achievement

### **REFERRAL OF SENATE JOINT RESOLUTION**

The following Senate Joint Resolution was referred to the Committee indicated:

**SJR 45** - Conservation and Natural Resources

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SCS SB 726** - Special Committee on Family Services

**SS SCS SB 738** - Special Committee on Energy and Environment

**SS SB 817** - Special Committee on Healthcare Transformation

**SCS SB 1040** - Conservation and Natural Resources

**SCS SB 1107** - Special Committee on State Parks and Waterways  
**SCS SB 1172** - Special Committee on General Laws  
**SCS SBs 1181, 1100, 1262 & 1263** - Special Committee on Utilities  
**SB 1245** - Elections  
**SS SCS SB 1283** - Special Committee on Healthcare Transformation

## **COMMITTEE REPORTS**

### **Committee on Agriculture Policy**, Chairman Quinn (7) reporting:

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **HB 1884**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Committee on Crime Prevention and Public Safety**, Chairman Bruns reporting:

Mr. Speaker: Your Committee on Crime Prevention and Public Safety, to which was referred **SCS SB 732**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Committee on Higher Education**, Chairman Kingery reporting:

Mr. Speaker: Your Committee on Higher Education, to which was referred **SCS SB 873**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Professional Registration and Licensing**, Chairman Wasson reporting:

Mr. Speaker: Your Special Committee on Professional Registration and Licensing, to which was referred **SCS SB 788**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SCS SB 1209**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HJR 64**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1484**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HBs 2281, 2489 & 2537**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2460**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 31**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 720**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 754 & 794**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 930 & 947**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SB 1159**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Friday, May 2, 2008.

**CORRECTIONS TO THE HOUSE JOURNAL**

**AFFIDAVITS**

I, State Representative Steve Hodges, District 161, hereby state and affirm that my vote as recorded on Page 1223 of the House Journal for April 30, 2008 to third read and pass House Committee Substitute for Senate Bill No. 863 was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of May 2008.

/s/ Steve Hodges  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 1st day of May in the year 2008.

/s/ Megan Limbach  
Notary Public

I, State Representative Jeff Roorda, District 102, hereby state and affirm that my vote as recorded on Page 1241 of the House Journal for April 30, 2008 to perfect and print House Committee Substitute for House Bill No. 1644, as amended, was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of May 2008.

/s/ Jeff Roorda  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 1st day of May in the year 2008.

/s/ Megan Limbach  
Notary Public

I, State Representative Ed Schieffer, District 11, hereby state and affirm that my vote as recorded on Page 1223 of the House Journal for April 30, 2008 to third read and pass House Committee Substitute for Senate Bill No. 863 was incorrectly recorded as absent with leave. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 1st day of May 2008.

/s/ Ed Schieffer  
State Representative

## COMMITTEE MEETINGS

**SPECIAL COMMITTEE ON UTILITIES**

Monday, May 5, 2008, Hearing Room 5 upon evening adjournment.

Executive session may follow.

Public hearing to be held on: SCS SBs 1181, 1100, 1262 & 1263

**TRANSPORTATION**

Tuesday, May 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session.

**HOUSE CALENDAR**

SIXTY-FOURTH DAY, FRIDAY, MAY 2, 2008

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)

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- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HBs 1736 & 2320 - Nolte
- 46 HCS HB 1468 - Pratt
- 47 HCS HBs 1809 & 2173 - Ruzicka
- 48 HCS HB 2420 - Baker (123)
- 49 HCS HB 2421 - Meiners
- 50 HB 2555 - Pearce

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert

- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger
- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 HCS SS SCS SB 711 - Sutherland
- 8 HCS SB 1288, E.C. - Cooper (120)
- 9 HCS SCS SB 901 - Hunter
- 10 SB 1038 - Cox
- 11 SB 885 - Cooper (120)
- 12 SS SCS SB 1059 - Pearce
- 13 SCS SB 1157, E.C. - Walsh
- 14 HCS SCS SBs 1034 & 802, E.C. - Kraus

- 15 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 16 HCS SS SCS SBs 818 & 795 - Smith (14)

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HB 2224 - Jones (117)
- 2 SS SCS HCS HB 1779, as amended - Emery
- 3 SS HB 1678, as amended - Day

#### **BILLS IN CONFERENCE**

- 1 SCS HCS HB 2002 - Icet
- 2 SCS HCS HB 2003 - Icet
- 3 SCS HB 2004 - Icet
- 4 SCS HCS HB 2005 - Icet
- 5 SCS HCS HB 2006 - Icet
- 6 SCS HCS HB 2007 - Icet
- 7 SCS HCS HB 2008 - Icet
- 8 SCS HCS HB 2009 - Icet
- 9 SCS HCS HB 2010 - Icet
- 10 SCS HCS HB 2011 - Icet
- 11 SCS HCS HB 2012 - Icet
- 12 SCS HCS HB 2013 - Icet
- 13 HCS SS SCS SB 931, as amended - Munzlinger
- 14 HCS SB 841, as amended - St. Onge
- 15 HCS SB 958 - Schad

#### **SENATE CONCURRENT RESOLUTION**

SCR 40, (4-14-08, Pages 914-915) - Pratt

#### **HOUSE RESOLUTION**

HR 185, (4-30-08, Page 1248) - Jones (117)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-FOURTH DAY, FRIDAY, MAY 2, 2008

The House met pursuant to adjournment.

Representative Deeken in the Chair.

Prayer by Chris Dunn, Public Information Specialist, House Communications.

Heavenly Father,

We praise You this morning for the rain outside and for the new month that will guide us to the end of this legislative session and into the summer.

“Your Word is a lamp unto my feet, and a light unto my path.” (*Psalm 119:105*)

I pray that Your Word would guide the paths of our locally elected officials, of our state elected officials, and of our nationally elected officials. I pray that Your Word would guide the paths of those who lead our businesses and industries. Most importantly, I pray that Your Word would light the path of those parents and grandparents who lead our families.

In Your Name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

## RE-REFERRAL OF SENATE BILL

The following Senate Bill was re-referred to the Committee indicated:

**SS SB 817** - Special Committee on Health Insurance

## COMMITTEE REPORT

**Special Committee on Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **HJR 48**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.



## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2393**, entitled:

An act to repeal sections 135.950 and 135.967, RSMo, and to enact in lieu thereof three new sections relating to enhanced enterprise zones.

With Senate Amendment No. 1 to Senate Substitute Amendment No. 2 for Senate Amendment No. 5, Senate Substitute Amendment No. 2 for Senate Amendment No. 5, as amended, and Senate Amendment No. 10.

*Senate Amendment No. 1  
to  
Senate Substitute Amendment No. 2  
for  
Senate Amendment No. 5*

AMEND Senate Substitute Amendment No. 2 for Senate Amendment No. 5 to Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2393, Page 1, Lines 6-7, by striking all of said line and inserting in lieu thereof the following:

**"employ, prior to January 1, 2022, directly:".**

*Senate Substitute Amendment No. 2  
for  
Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2393, Page 22, Section 135.968, Line 26, by inserting immediately after all of said line the following:

**"11. Notwithstanding any provision of this section to the contrary, no taxpayer who receives mega-project tax credits authorized under this section or any related taxpayer shall employ, within five years following approval of the mega-project by the department, directly:**

(1) Any elected public official of this state holding office as of January 1, 2008;  
(2) Any director, deputy director, division director, or employee directly involved in negotiations between the department of economic development and a taxpayer relative to the mega-project who was employed as of January 1, 2008, by the department."

*Senate Amendment No. 10*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2393, Page 21, Section 135.968, Line 27, by inserting immediately after the word "department" the following:

**"and the house and senate appropriations committees".**

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 841, as amended**: Senators Stouffer, Clemens, Goodman, Shoemyer and Callahan.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 931**, and has taken up and passed **CCS HCS SS SCS SB 931**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like committee from the House on **HCS SB 958**: Senators Goodman, Stouffer, Clemens, McKenna and Justus.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2002**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2002.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2002.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2002, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2003**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2003.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2003.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2004**

The Conference Committee appointed on Senate Committee Substitute for House Bill No. 2004, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Bill No. 2004.
2. That the House recede from its position on House Bill No. 2004.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Bill No. 2004, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Rachel Storch  
/s/ Sam Komo

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2005**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2005.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2005.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Rachel Storch  
/s/ Sam Komo

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2006**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2006.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2006.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2006, be truly agreed to and finally passed.

FOR THE SENATE:

FOR THE HOUSE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Belinda Harris  
/s/ Tom Shively

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2007**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2007.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2007.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2007, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Rachel Storch  
/s/ Sam Komo

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2008**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2008.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2008.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Jamilah Nasheed  
/s/ Ed Wildberger

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2009**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2009.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2009.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2009, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Jamilah Nasheed  
/s/ Ed Wildberger

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2010**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2010.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2010.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2011**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2011.

2. That the House recede from its position on House Committee Substitute for House Bill No. 2011.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream



**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2012**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2012.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2012.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2012, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Shalonn Curls  
/s/ Rachel Storch

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2013**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2013.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2013.
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2013, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Joan Bray  
/s/ Timothy Green  
/s/ Scott Rupp

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Rick Stream  
/s/ Shalonn Curls  
/s/ Rachel Storch

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 931**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 931, with House Amendment Nos. 1 and 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 931, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 931;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 931, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Chuck Purgason  
/s/ Dan Clemens  
/s/ Jack Goodman  
/s/ Frank Barnitz  
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Brian Munzlinger  
/s/ Mike Dethrow  
/s/ Donald Wells  
/s/ Terry Witte  
/s/ Joe Aull

The following members' presence was noted: Avery, Casey, Chappelle-Nadal, Emery and Portwood.

**ADJOURNMENT**

On motion of Representative Deeken, the House adjourned until 2:00 p.m., Monday, May 5, 2008.

## **CORRECTION TO THE HOUSE JOURNAL**

Correct House Journal, Sixty-third Day, Thursday, May 1, 2008, Page 1288, Line 22, by inserting immediately after said line the following:

“Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 994**, begs leave to report it has examined the same and recommends that it **Do Pass**.”

## **COMMITTEE MEETINGS**

### **ELECTIONS**

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 5.

Executive session may follow.

Public hearing to be held on: SB 1245

### **JOINT COMMITTEE ON EDUCATION**

Tuesday, May 6, 2008, 1:00 p.m. Hearing Room 7.

Election of Chairman and Vice Chairman.

Discussion of DESE's Professional Development Grants.

### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, May 5, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports; testimony from Attorney General and State Treasurer's offices; criminal codes revision project; old and new business.

Some portions may be closed pursuant to 610.021.

### **RULES - PURSUANT TO RULE 25(21)(f)**

Monday, May 5, 2008, 1:30 p.m. Hearing Room 5.

Executive session may follow.

Public hearings to be held on: SCS SB 1139, SCS SB 873, SCS SB 788, HCS SCS SB 765, HCS SCS SB 1209, HCS SS SCS SB 778, SS SCS SB 768, SS SCS SJRs 34 & 30, HCS HBs 1493 & 1594, HCS HB 1884, HCS HB 1880, HCS HJR 48

### **SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Tuesday, May 6, 2008, Hearing Room 3 upon morning recess.

Executive session may follow.

Public hearing to be held on: HB 1842

### **SPECIAL COMMITTEE ON GENERAL LAWS**

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 6.

Executive session may follow.

Public hearing to be held on: SCS SB 1172

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 3.

Executive session will follow.

Public hearing to be held on: SCS SB 1107

**SPECIAL COMMITTEE ON UTILITIES**

Monday, May 5, 2008, Hearing Room 5 upon evening adjournment.

Executive session may follow.

Public hearings to be held on: SCS SBs 1181, 1100, 1262 & 1263

**TRANSPORTATION**

Tuesday, May 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session.

**HOUSE CALENDAR**

SIXTY-FIFTH DAY, MONDAY, MAY 5, 2008

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter

- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HBs 1736 & 2320 - Nolte
- 46 HCS HB 1468 - Pratt
- 47 HCS HBs 1809 & 2173 - Ruzicka
- 48 HCS HB 2420 - Baker (123)
- 49 HCS HB 2421 - Meiners
- 50 HB 2555 - Pearce

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger
- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 HCS SS SCS SB 711 - Sutherland
- 8 HCS SB 1288, E.C. - Cooper (120)
- 9 HCS SCS SB 901 - Hunter
- 10 SB 1038 - Cox
- 11 SB 885 - Franz
- 12 SS SCS SB 1059 - Pearce
- 13 SCS SB 1157, E.C. - Walsh
- 14 HCS SCS SBs 1034 & 802, E.C. - Kraus
- 15 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 16 HCS SS SCS SBs 818 & 795 - Smith (14)

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HB 2224 - Jones (117)
- 2 SS SCS HCS HB 1779, as amended - Emery
- 3 SS HB 1678, as amended - Day

**BILLS IN CONFERENCE**

- 1 CCR SCS HCS HB 2002 - Icet
- 2 CCR SCS HCS HB 2003 - Icet
- 3 CCR SCS HB 2004 - Icet
- 4 CCR SCS HCS HB 2005 - Icet
- 5 CCR SCS HCS HB 2006 - Icet
- 6 CCR SCS HCS HB 2007 - Icet
- 7 CCR SCS HCS HB 2008 - Icet
- 8 CCR SCS HCS HB 2009 - Icet
- 9 CCR SCS HCS HB 2010 - Icet
- 10 CCR SCS HCS HB 2011 - Icet
- 11 CCR SCS HCS HB 2012 - Icet
- 12 CCR SCS HCS HB 2013 - Icet
- 13 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 14 HCS SB 841, as amended - St. Onge
- 15 HCS SB 958 - Schad



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**SENATE CONCURRENT RESOLUTION**

SCR 40, (4-14-08, Pages 914-915) - Pratt

**HOUSE RESOLUTION**

HR 185, (4-30-08, Page 1248) - Jones (117)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-FIFTH DAY, MONDAY, MAY 5, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, by Your great mercy, we come into Your presence; in reverence we bow our hearts before You. Lead us, this day and throughout this week in Your righteousness - make straight Your way before us. For surely, O Lord, You bless the righteous and shield them with Your kindness.

O Lord, hear our prayer and bring us together as a people. Give us strength to defend our cause; help us in the battle against itinerant thoughts.

Bless, O Lord, our skills and be pleased with our efforts; undergird us with strength as we carry out Your righteous will and thoughts concerning the state of Missouri.

Now may we abound with the richness of Your favor and overflow with the fruit of Your blessing.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Blaise Phillips, Brad Phillips, Sadie Grigsby, Carter Joy, John McCormack and Lena Berhane.

The Journal of the sixty-third day was approved as corrected.

The Journal of the sixty-fourth day was approved as printed.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2530 through House Resolution No. 2602

## HOUSE BILL WITH SENATE AMENDMENTS

**SS SCS HCS HB 1779, as amended**, relating to telecommunications services, was taken up by Representative Emery.

Representative Richard assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Emery moved that **SS SCS HCS HB 1779, as amended**, be adopted.

Representative Bringer made a substitute motion that the House refuse to adopt **SS SCS HCS HB 1779, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the House conferees be allowed to exceed the differences for the purpose of adding political robo calls to the no call list.

Representative Emery raised a point of order that the substitute motion goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Cooper (120) assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Richard	Robb	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 062

Aull	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson

Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker 25	Bland	Donnelly	Haywood
Johnson	Quinn 7	Ruestman	Salva	Spreng
Viebrock	Young			

VACANCIES: 002

On motion of Representative Emery, **SS SCS HCS HB 1779, as amended**, was adopted by the following vote:

AYES: 121

Baker 123	Bivins	Brandom	Brown 30	Bruns
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Talboy	Thomson	Threlkeld	Tilley
Villa	Vogt	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yaeger	Yates
Mr Speaker				

NOES: 028

Aull	Bringer	Brown 50	Burnett	Chappelle-Nadal
Darrough	Daus	Donnelly	Harris 23	Harris 110
Hodges	LeVota	Low 39	Lowe 44	McClanahan
Oxford	Page	Scavuzzo	Schieffer	Shively
Skaggs	Swinger	Todd	Wallace	Witte
Wright-Jones	Zimmerman	Zweifel		

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PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker 25	Bland	Haywood	Johnson
Quinn 7	Ruestman	Salva	Spreng	Sutherland
Viebrock	Young			

VACANCIES: 002

On motion of Representative Emery, **SS SCS HCS HB 1779, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 121

Baker 123	Bivins	Brandom	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Hobbs	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Villa	Vogt	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yaeger	Yates
Mr Speaker				

NOES: 026

Aull	Bringer	Burnett	Darrough	Daus
Harris 23	Harris 110	Hodges	LeVota	Low 39
Lowe 44	McClanahan	Nasheed	Oxford	Page
Scavuzzo	Schieffer	Shively	Skaggs	Swinger
Todd	Wallace	Witte	Wright-Jones	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 25	Bland	Donnelly	El-Amin
Haywood	Johnson	Kasten	Quinn 7	Ruestman
Salva	Spreng	Viebrock	Young	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### **BILLS IN CONFERENCE**

**CCR SCS HCS HB 2002**, relating to appropriations, was taken up by Representative Icet.

Representative Franz assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Icet, **CCR SCS HCS HB 2002** was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Thomson
Threlkeld	Tilley	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 063

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt

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Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Haywood	Hunter	Johnson	Parson
Schlottach	Spreng	Sutherland	Viebrock	Young
Zweifel				

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2002** was read the third time and passed by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Thomson	Threlkeld	Tilley	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	El-Amin	Haywood	Johnson	Parson
Schlottach	Spreng	Sutherland	Viebrock	Young
Zweifel				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR SCS HCS HB 2003**, relating to appropriations, was taken up by Representative Icet.

Representative Wilson (130) assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Icet, **CCR SCS HCS HB 2003** was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 063

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Davis	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Threlkeld	Todd	Villa	Vogt



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Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Chappelle-Nadal	Cooper 120	Haywood	Johnson
Schlottach	Spreng	Sutherland	Young	Zweifel
Mr Speaker				

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2003** was read the third time and passed by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Thomson	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 063

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Davis	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Threlkeld	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 010

Baker 25	Chappelle-Nadal	Haywood	Hunter	Johnson
Schlottach	Spreng	Sutherland	Young	Zweifel

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1384 & HB 2157**, entitled:

An act to amend chapters 407 and 570, RSMo, by adding thereto six new sections relating to identity protection, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2016**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2023**, entitled:

An act to appropriate money for planning, expenses, and for capital improvements including, but not limited to, major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2034**, entitled:

An act to repeal sections 537.294, 571.010, 571.020, 571.070, and 571.101, RSMo, and to enact in lieu thereof nine new sections relating to weapons, with penalty provisions.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2034, Page 10, Section 571.101, Line 65, by striking "is a resident of the state of" and inserting in lieu thereof the following:

**"has assumed residency in";** and

Further amend Line 66, by striking the following:

"and has been a resident thereof for the last six months".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 724, as amended**, and request the House to recede from its position or failing to do so, grant the Senate a conference thereon; and further that the conferees be allowed to exceed the differences by exempting collaborative practice arrangements within certain population-based public health services, as described in 20 CSR 2150-5.100, from the limitations contained in section 334.104, RSMo.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 830** and has taken up and passed **HCS SCS SB 830**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 907, as amended**, and has taken up and passed **HCS SCS SB 907, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1 & HA 3 to SB 1068**, and requests the House to recede from its position or failing to do so, grant the Senate a conference thereon; and further that the conferees be allowed to exceed the differences for the sole purpose of excluding Department of Health and Senior Services program rebates from the fund.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 1074, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1140** and has taken up and passed **HCS SB 1140**.

Emergency clause adopted.

### **BILL CARRYING REQUEST MESSAGE**

**HCS SCS SB 724, as amended**, relating to advanced practice registered nurses, was taken up by Representative Jones (117).

Representative Jones (117) moved that the House refuse to recede from its position on **HCS SCS SB 724, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences by exempting collaborative practice arrangements within certain population-based public health services, as described in 20 CSR 2150-5.100, from the limitations contained in section 334.104, RSMo.

Which motion was adopted by the following vote:

AYES: 133

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 120	Cooper 155	Cox	Cunningham 145
Curls	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Moore	Munzlinger	Muschany	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Mr Speaker		

NOES: 016

Corcoran	Cunningham 86	Daus	Dougherty	Dusenberg
Harris 23	Holsman	Hughes	Kasten	Liese
Meiners	Nance	Page	Roorda	Schaaf
Talboy				

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker 25	Chappelle-Nadal	Donnelly	Haywood
Johnson	Schlottach	Spreng	Sutherland	Vogt
Young	Zweifel			

VACANCIES: 002

## COMMITTEE REPORTS

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was referred **SCS SB 767**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was referred **SB 953**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Judiciary, to which was returned **HCS SB 976**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was referred **SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Job Creation and Economic Development**, Chairman Richard reporting:

Mr. Speaker: Your Special Committee on Job Creation and Economic Development, to which was returned **HCS SS SCS SB 718**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HJR 48**, begs leave to report it has examined the same and recommends that it **Do Pass, with a time limit of 150 minutes for debate on Perfection**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1880**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 1884**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SJRs 34 & 30**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 765**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SS SCS SB 768**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 778**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 788**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 873**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1139**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1209**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**SS SCS SB 768** - Fiscal Review (Fiscal Note)  
**HCS SS SCS SB 778** - Fiscal Review (Fiscal Note)  
**HCS SCS SBs 930 & 947** - Fiscal Review (Fiscal Note)  
**HCS SCS SB 1209** - Fiscal Review (Fiscal Note)

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, May 6, 2008.

### **COMMITTEE MEETINGS**

**CONSERVATION AND NATURAL RESOURCES**  
Wednesday, May 7, 2008, 8:00 a.m. Hearing Room 4.  
Executive session may follow.  
Public hearings to be held on: SJR 45, SCS SB 1040, SCR 29

**ELECTIONS**  
Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 5.  
Executive session may follow.  
Public hearing to be held on: SB 1245

FISCAL REVIEW

Wednesday, May 7, 2008, 8:30 a.m. Hearing Room 5.  
Any bills presented to this committee.

JOINT COMMITTEE ON EDUCATION

Tuesday, May 6, 2008, 1:00 p.m. Hearing Room 7.  
Election of Chairman and Vice Chairman.  
Discussion of Department of Elementary and Secondary  
Education's Professional Development Grants.

JOINT COMMITTEE ON TAX POLICY

Tuesday, May 6, 2008, Hearing Room 6 upon morning recess.  
Department of Revenue - Fee Increase Public testimony welcome.

JUDICIARY

Tuesday, May 6, 2008, Hearing Room 1 upon morning recess.  
Executive session will follow.  
Public hearing to be held on: HCS SCS SB 781

SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT

Tuesday, May 6, 2008, Hearing Room 3 upon morning recess.  
Executive session may follow.  
Public hearing to be held on: HB 1842

SPECIAL COMMITTEE ON FAMILY SERVICES

Wednesday, May 7, 2008, 8:00 a.m. Hearing Room 1.  
Executive session may follow.  
Public hearings to be held on: HB 2264, SS SCS SB 726

SPECIAL COMMITTEE ON GENERAL LAWS

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 6.  
Executive session may follow.  
Public hearing to be held on: SCS SB 1172

SPECIAL COMMITTEE ON HEALTH INSURANCE

Tuesday, May 6, 2008, Hearing Room 4 upon morning recess.  
Executive session may follow.  
Public hearing to be held on: SS SB 817

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Wednesday, May 7, 2008, Hearing Room 6 upon morning recess.  
Executive session may follow.  
Public hearing to be held on: SS SCS SB 1283

**SPECIAL COMMITTEE ON STATE PARKS AND WATERWAYS**

Tuesday, May 6, 2008, 8:30 a.m. Hearing Room 3.

Executive session will follow.

Public hearing to be held on: SCS SB 1107

**SPECIAL COMMITTEE ON UTILITIES**

Tuesday, May 6, 2008, 9:30 a.m. House Chamber south gallery.

Executive session.

**TRANSPORTATION**

Tuesday, May 6, 2008, 8:00 a.m. Hearing Room 1.

Executive session.

**HOUSE CALENDAR**

**SIXTY-SIXTH DAY, TUESDAY, MAY 6, 2008**

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- |   |                              |                                    |
|---|------------------------------|------------------------------------|
| 1 | HCS HJR 48 - Cox             | (150 minutes debate on Perfection) |
| 2 | HCS HJR 64 - Chappelle-Nadal |                                    |

**HOUSE BILLS FOR PERFECTION**

- |    |   |
|----|---|
| 1  | HCS HB 1836 - Flook                                   |
| 2  | HCS#2 HB 1886 - Scharnhorst                           |
| 3  | HCS HB 1802 - Wilson (130)                            |
| 4  | HB 2144 - Whorton                                     |
| 5  | HB 1535 - Deeken                                      |
| 6  | HB 1517 - Cox   |
| 7  | HCS HB 2112 - Emery                                   |
| 8  | HB 1372 - McGhee                                      |
| 9  | HCS HB 1590 - Munzlinger                              |
| 10 | HCS HB 1504 - Walton                                  |
| 11 | HCS HB 2156 - Grill                                   |
| 12 | HCS HB 2159 - Grill                                   |
| 13 | HB 1562 - LeVota                                      |
| 14 | HCS HB 2239 - Stevenson                               |
| 15 | HCS HB 1438 - Kelly                                   |
| 16 | HCS HB 1990, as amended, HA 2, pending - Wilson (130) |
| 17 | HCS HB 2110 - Dixon                                   |
| 18 | HCS HB 1723 - Franz                                   |
| 19 | HCS HB 1745 - Robb                                    |
| 20 | HB 1764 - Parson                                      |
| 21 | HB 1871 - Deeken                                      |
| 22 | HB 1934 - May   |
| 23 | HCS HB 1974 - Schlottach                              |



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- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HBs 1736 & 2320 - Nolte
- 46 HCS HB 1468 - Pratt
- 47 HCS HBs 1809 & 2173 - Ruzicka
- 48 HCS HB 2420 - Baker (123)
- 49 HCS HB 2421 - Meiners
- 50 HB 2555 - Pearce
- 51 HB 1484 - Muschany
- 52 HCS HB 1880 - Schaaf
- 53 HCS HB 1884 - Quinn (7)
- 54 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 55 HCS HB 2460 - Emery

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE JOINT RESOLUTION FOR THIRD READING**

SS SCS SJRs 34 & 30 - Bruns

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)

- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger
- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 HCS SS SCS SB 711 - Sutherland
- 8 HCS SB 1288, E.C. - Cooper (120)
- 9 HCS SCS SB 901 - Hunter
- 10 SB 1038 - Cox
- 11 SB 885 - Cooper (120)
- 12 SS SCS SB 1059 - Pearce
- 13 SCS SB 1157, E.C. - Walsh
- 14 HCS SCS SBs 1034 & 802, E.C. - Kraus
- 15 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 16 HCS SS SCS SBs 818 & 795 - Smith (14)
- 17 HCS SCS SB 720 - Smith (150)
- 18 HCS SCS SBs 754 & 794 - Lipke
- 19 HCS SCS SB 765, E.C. - Schneider
- 20 SS SCS SB 768, (Fiscal Review 5-05-08) - Scharnhorst
- 21 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)
- 22 SCS SB 873 - Pratt
- 23 HCS SCS SBs 930 & 947, (Fiscal Review 5-05-08) - St. Onge
- 24 SCS SB 1139 - Stevenson
- 25 SS SB 1159 - Pratt
- 26 HCS SCS SB 1209, (Fiscal Review 5-05-08), E.C. - Sutherland

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HB 2224 - Jones (117)
- 2 SS HB 1678, as amended - Day
- 3 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 4 SS SCS HCS HB 2393, as amended - Richard
- 5 SCS HCS HB 2034, as amended - Munzlinger
- 6 SS SCS HB 1384 & HB 2157 - Cox

**BILLS CARRYING REQUEST MESSAGES**

- 1 SB 1068, HA 1, HA 3 (request House recede/grant conference/exceed differences) - Sater
- 2 HCS SB 1074, as amended, (request House recede/grant conference) - Smith (14)

**BILLS IN CONFERENCE**

- 1 CCR SCS HB 2004 - Icet
- 2 CCR SCS HCS HB 2005 - Icet
- 3 CCR SCS HCS HB 2006 - Icet
- 4 CCR SCS HCS HB 2007 - Icet
- 5 CCR SCS HCS HB 2008 - Icet
- 6 CCR SCS HCS HB 2009 - Icet
- 7 CCR SCS HCS HB 2010 - Icet
- 8 CCR SCS HCS HB 2011 - Icet
- 9 CCR SCS HCS HB 2012 - Icet
- 10 CCR SCS HCS HB 2013 - Icet
- 11 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 12 HCS SB 841, as amended - St. Onge
- 13 HCS SB 958 - Schad
- 14 HCS SCS SB 724, as amended - Jones (117)

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 31, (4-24-08, Page 1164) - Loehner

**HOUSE RESOLUTION**

- HR 185, (4-30-08, Page 1248) - Jones (117)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-SIXTH DAY, TUESDAY, MAY 6, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Most Rev. Mar Mathew Arackal, Bishop of the Catholic Diocese of Kanjirapally, Kerala, India.

Blessed are You Lord, God Almighty,  
Whose goodness fills our heart with joy.  
Blessed are You,  
Who have brought us together this day  
To work in harmony and peace,  
To ponder and decide what is good for this great state of  
Missouri.

We stand before You, Lord,  
Conscious of our strengths and weaknesses,  
But confident in Your greatness and mercy.

As Mother Theresa of Calcutta prayed,  
Lord, it is not how much we do,  
but how much love we put in the doing.  
It is not how much we give,  
but how much love we put in the giving.

Give us light and strength  
To know Your will,  
To make it our own  
And to live it in our lives.

Guide us by Your wisdom,  
Support us by Your power.

You desire justice for all:  
Enable us to uphold the rights of others;  
Do not allow us to be misled by ignorance;  
Or be corrupted by fear or favor.

Unite us to our fellow-citizens in the bond of love  
And keep us faithful to all that is true.

As we gather in this House of laws  
May we temper justice with love.

"Lead us from untruth to Truth;  
Lead us from darkness to Light;  
Lead us from death to immortality".  
Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jenna Price, Nikki Larabee, Joshua Smith, Aaron Moser, Payton Scarbrough, Kourtney Sybert, Emily Summers, Bailey Sue Morris, Macae Mudd, Aaron Howerton, Reggie Stockman, Keiffer Buckels, Chelsea Wehrli, Jodi Sollars, Rachel Long, Jill Riley, Terry Graves, Michelle Sharp, Ashley Harbin, Cheyanne Murphy, Andrew Robert Huckaby, Kevin Le, Tonyelle Temple, Quinton Le and Joey Scally.

The Journal of the sixty-fifth day was approved as printed.

### **SPECIAL RECOGNITION**

The Eleventh Annual House Employee Appreciation Day was held and employees were recognized for their service. The Outstanding Employees of the Year were Trevor Fox and Ron Massman.

Representative Day assumed the Chair.

### **BILLS IN CONFERENCE**

**CCR SCS HB 2004**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HB 2004** was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roord	Rucker	Ruestman	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad

Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zweifel	Mr Speaker			

NOES: 016

Bringer	Dethrow	Frame	Hughes	LeVota
Low 39	Oxford	Quinn 9	Skaggs	Swinger
Talboy	Todd	Vogt	Wildberger	Witte
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 008

Burnett	Corcoran	Haywood	Kasten	Page
Sander	Spreng	Young		

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HB 2004** was read the third time and passed by the following vote:

AYES: 130

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hunter	Icet	Johnson	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nasheed	Nieves	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 018

Bringer	Burnett	Daus	Dethrow	Frame
Hughes	LeVota	Low 39	Oxford	Quinn 9
Skaggs	Swinger	Talboy	Todd	Vogt
Wildberger	Witte	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 013

Corcoran	El-Amin	Haywood	Hubbard	Kasten
Loehner	Muschany	Nolte	Page	Salva
Sander	Spreng	Young		

VACANCIES: 002

Representative Day declared the bill passed.

**CCR SCS HCS HB 2005**, relating to appropriations, was taken up by Representative Icet.

Speaker Pro Tem Pratt assumed the Chair.

Representative Icet offered **House Perfecting Amendment No. 1**.

*House Perfecting Amendment No. 1*

AMEND Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2005, Section 5.490, Page 16, Line 3, by deleting the numeral "25" and inserting in lieu thereof the numeral "35"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Icet, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative Icet, **CCR SCS HCS HB 2005** was adopted by the following vote:

AYES: 083

Avery	Bivins	Brandom	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dixon	Dougherty	Dusenberg
Emery	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Hobbs	Icet
Jones 89	Jones 117	Kelly	Kingery	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson



Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

NOES: 068

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Burnett	Casey	Chappelle-Nadal	Corcoran
Curls	Darrough	Daus	Dethrow	Donnelly
El-Amin	Ervin	Fallert	Frame	George
Grill	Guest	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Johnson	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Pratt
Quinn 9	Robinson	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Walsh
Walton	Whorton	Witte	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 010

Brown 50	Cooper 120	Haywood	Hughes	Hunter
Kasten	Page	Spreng	Vogt	Young

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2005, as amended by House Perfecting Amendment No. 1**, was read the third time and passed by the following vote:

AYES: 084

Avery	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Emery	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Hobbs
Icet	Jones 89	Jones 117	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

NOES: 069

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal

Curls	Darrough	Daus	Donnelly	Dusenberg
Ervin	Fallert	Frame	George	Grill
Guest	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Nasheed	Norr	Oxford	Pratt	Quinn 9
Robinson	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Corcoran	El-Amin	Haywood	Hunter	Kasten
Page	Spreng	Young		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 724, as amended**: Senators Scott, Champion, Purgason, Green and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS SB 1170**, entitled:

An act to amend chapter 160, RSMo, by adding thereto one new section relating to the rebuild Missouri schools program, with an emergency clause.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

On motion of Representative Tilley, the House recessed until 2:00 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kevin Kelley, Peyton Pilcher, Leslie Riggs and Emily Smotkin.

# HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2603 through House Resolution No. 2733

Speaker Jetton resumed the Chair.

## BILL IN CONFERENCE

**CCR SCS HCS HB 2006**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 2006** was adopted by the following vote:

AYES: 139

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lembke	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Rucker	Ruestman	Ruzicka
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 012

Burnett	Corcoran	Daus	Frame	Hughes
Lampe	LeVota	Low 39	Lowe 44	Oxford
Skaggs	Talboy			

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PRESENT: 002

Swinger                      Witte

ABSENT WITH LEAVE: 008

Cooper 120	Meadows	Roorda	Salva	Sater
Spreng	Walton	Young		

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2006** was read the third time and passed by the following vote:

AYES: 135

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 012

Burnett	Daus	Frame	Hughes	Lampe
LeVota	Low 39	Lowe 44	Norr	Oxford
Skaggs	Talboy			

PRESENT: 002

Swinger                      Witte

ABSENT WITH LEAVE: 012

Baker 123	Cooper 120	Cooper 155	Corcoran	Hunter
Lembke	Meadows	Salva	Sater	Spreng
Walton	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

### **HOUSE BILL WITH SENATE AMENDMENT**

**SCS HCS HB 2023**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that the House refuse to adopt **SCS HCS HB 2023** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

Representative Cox assumed the Chair.

### **BILLS IN CONFERENCE**

**CCR SCS HCS HB 2007**, relating to appropriations, was taken up by Representative Icet.

Representative Icet moved that **CCR SCS HCS HB 2007** be adopted.

Speaker Pro Tem Pratt resumed the Chair.

Representative Harris (110) made a substitute motion that the House refuse to adopt **CCR SCS HCS HB 2007**, and request the Senate to grant the House a further conference and that the House conferees be allowed to exceed the differences for the purpose of deleting Section 7.020, the Life Sciences Research projects, and for the purpose of amending Section 7.025 to remove Missouri Technology Corporation, to protect all forms of life.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cox	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Muschany	Nance	Nieves

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Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 001

Hughes

ABSENT WITH LEAVE: 009

Cooper 120	Cooper 155	Hunter	Meadows	Munzlinger
Robinson	Salva	Spreng	Young	

VACANCIES: 002

Representative Harris (110) again moved that the House refuse to adopt **CCR SCS HCS HB 2007**, and request the Senate to grant the House a further conference and that the House conferees be allowed to exceed the differences for the purpose of deleting Section 7.020, the Life Sciences Research projects, and for the purpose of amending Section 7.025 to remove Missouri Technology Corporation, to protect all forms of life.

Which motion was defeated by the following vote:

AYES: 031

Baker 123	Bringer	Casey	Davis	Dusenberg
Ervin	Fallert	George	Harris 110	Hodges
Kratky	Kraus	Kuessner	Liese	Muschany
Parkinson	Quinn 9	Roorda	Sander	Scavuzzo
Schad	Schieffer	Schoemehl	Shively	Swinger
Todd	Villa	Wells	Wood	Yaeger
Yates				

NOES: 124

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	El-Amin	Emery	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Haywood	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Lampe	Lembke	LeVota	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Sater	Schaaf	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Viebrock	Vogt	Wallace
Walsh	Walton	Wasson	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wright 159
Wright-Jones	Zimmerman	Zweifel	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 006

Meadows	Munzlinger	Robinson	Salva	Spreng
Young				

VACANCIES: 002

Speaker Jetton resumed the Chair

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt

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Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 006

Munzlinger	Robinson	Salva	Spreng	Wright-Jones
Young				

VACANCIES: 002

Representative Icet again moved that **CCR SCS HCS HB 2007** be adopted.

Which motion was adopted by the following vote:

AYES: 111

Aull	Avery	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Day	Decken	Denison
Dixon	Donnelly	Dougherty	El-Amin	Emery
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Harris 23	Haywood
Hobbs	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Lampe	Lembke
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	Moore	Nance	Nieves	Nolte
Norr	Onder	Page	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Rucker	Ruestman	Ruzicka	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland



Thomson	Threlkeld	Tilley	Viebrock	Villa
Vogt	Wallace	Walton	Wasson	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 044

Baker 123	Bringer	Burnett	Casey	Darrough
Davis	Dethrow	Dusenberg	Ervin	Fallert
Frame	George	Grill	Harris 110	Hodges
Kratky	Kraus	Kuessner	LeVota	Liese
Low 39	McGhee	Meadows	Meiners	Muschany
Nasheed	Oxford	Parkinson	Quinn 9	Roorda
Sander	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Swinger	Talboy	Todd	Walsh
Wells	Whorton	Yaeger	Yates	

PRESENT: 000

ABSENT WITH LEAVE: 006

Baker 25	Hughes	Munzlinger	Robinson	Salva
Spreng				

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Icet, **CCS SCS HCS HB 2007** was read the third time and passed by the following vote:

AYES: 113

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Day
Deeken	Denison	Dixon	Donnelly	Dougherty
El-Amin	Emery	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Harris 23	Haywood	Hobbs	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Lampe	Lembke	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	Moore	Munzlinger
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Rucker
Ruestman	Ruzicka	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Villa	Vogt	Wallace
Walton	Wasson	Weter	Wildberger	Wilson 130

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Witte	Wood	Wright 159	Wright-Jones	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 044

Baker 123	Bringer	Burnett	Casey	Davis
Dethrow	Dusenberg	Ervin	Fallert	Frame
George	Grill	Harris 110	Hodges	Hughes
Kratky	Kraus	Kuessner	LeVota	Liese
Low 39	McGhee	Meadows	Meiners	Muschany
Nasheed	Oxford	Parkinson	Quinn 9	Roorda
Sander	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Swinger	Talboy	Todd	Walsh
Wells	Whorton	Yaeger	Yates	

PRESENT: 001

Wilson 119

ABSENT WITH LEAVE: 003

Robinson	Salva	Spreng
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VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR SCS HCS HB 2008**, relating to appropriations, was taken up by Representative Icet.

Representative Cox resumed the Chair.

On motion of Representative Icet, **CCR SCS HCS HB 2008** was adopted by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hunter
Ice	Johnson	Jones 89	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman

Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 005

Bringer	Darrough	Dethrow	Hughes	LeVota
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PRESENT: 000

ABSENT WITH LEAVE: 008

Brown 50	Cooper 155	Corcoran	Jones 117	Nasheed
Nieves	Robinson	Spreng		

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2008** was read the third time and passed by the following vote:

AYES: 148

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Ice
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton

Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 004

Bringer	Darrough	Dethrow	LeVota
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PRESENT: 000

ABSENT WITH LEAVE: 009

Cooper 120	Cooper 155	Corcoran	Denison	Hughes
Nasheed	Robinson	Salva	Spreng	

VACANCIES: 002

Representative Cox declared the bill passed.

Speaker Jetton resumed the Chair.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SS SCS HCR 30**.

#### SENATE SUBSTITUTE FOR SENATE COMMITTEE SUBSTITUTE FOR HOUSE CONCURRENT RESOLUTION NO. 30

WHEREAS, competition in the voice communications industry is developing rapidly and is widespread in the State of Missouri; and

WHEREAS, Missouri law governing the telecommunications industry must evolve to meet the needs of Missouri consumers; and

WHEREAS, consumer choice in voice communications is available through the traditional wireline, wireless, cable, and interconnected voice over Internet protocol industries; and

WHEREAS, the methodology by which carriers are compensated for the use of their network is, by its nature, complex, detailed, and inter-related to numerous other economic forces; and

WHEREAS, the need to make equitable changes in the inter-carrier compensation regime will require a comprehensive, holistic, and deliberate approach to reform; and

WHEREAS, due to the complex nature of inter-carrier compensation, comprehensive study and discussion is required; and

WHEREAS, pricing of voice telecommunications services is important to promote competition for the long-term benefit of consumers; and

WHEREAS, a forum for review and discussion between these very competitive industries will aid in addressing the concerns of both the industry and consumers:

NOW THEREFORE BE IT RESOLVED by the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, that to ensure that thoughtful and necessary changes to the regulation of voice communications in Missouri and the need to protect Missouri consumers and provide them with more communications choices, the General Assembly must endeavor to comprehensively study further the matters detailed herein; and

BE IT FURTHER RESOLVED that the members of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, the Senate concurring therein, hereby establish a Joint Interim Committee on Voice Communications Regulation to be composed of ten members, five of which shall be from the House of Representatives with three appointed by the Speaker of the House and two appointed by the Minority Floor Leader of the House, and five members shall be from the Senate with three appointed by the President Pro Tem of the Senate and two appointed by the Minority Floor Leader of the Senate; and

BE IT FURTHER RESOLVED that the Joint Interim Committee is authorized to function during the legislative interim between the Second Regular Session of the Ninety-fourth General Assembly through January 15, 2009, of the First Regular Session of the Ninety-fifth General Assembly to study the following:

- (1) The need to make changes to the inter-carrier compensation system wherein voice communications providers exchange traffic on other provider's networks; and
- (2) The issue of whether market-based pricing exists in the voice telecommunications industry, and any recommended action to be taken by the General Assembly, if any; and
- (3) Such other matters as the Joint Interim Committee may deem necessary in order to determine the proper course of future legislative and budgetary action regarding these issues; and

BE IT FURTHER RESOLVED that the Joint Interim Committee shall prepare a final report, together with its recommendations for any legislative action deemed necessary for submission to the General Assembly by January 15, 2009; and

BE IT FURTHER RESOLVED that the Joint Interim Committee may solicit input and information necessary to fulfill its obligations, including but not limited to soliciting input and information from any state department or agency the Joint Interim Committee deems relevant, consumer advocates, political subdivisions of this State, and the general public; and

BE IT FURTHER RESOLVED that the staffs of House Research, the Joint Committee on Legislative Research, and Senate Research shall provide such legal, research, clerical, technical, and bill drafting services as the Joint Interim Committee may require in the performance of its duties; and

BE IT FURTHER RESOLVED that the actual and necessary expenses of the Joint Interim Committee, its members, and any staff assigned to the Joint Interim Committee incurred by the Joint Interim Committee shall be paid by the Joint Contingent Fund.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2023** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 2023**: Senators Nodler, Mayer Rupp, Bray and Green.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SCR 35**.

SENATE CONCURRENT RESOLUTION NO. 35

WHEREAS, horse processing is the most tightly regulated of any animal harvest, and the horse is the only animal that has its transportation to processing regulated. If horse processing plants are forced to close and export options are eliminated, the Horse Welfare Coalition estimates that 90,000 to 100,000 unwanted horses annually would be exposed to potential abandonment and neglect; and

WHEREAS, the 90,000 to 100,000 additional unwanted horses each year would compete for adoption with the 32,000 wild horses that United States taxpayers are already paying \$40 million to shelter and feed; and

WHEREAS, the nation's inadequate, overburdened, and unregulated horse rescue and adoption facilities cannot handle the influx of the approximately 60,000 or more additional horses each year that would result from a harvesting ban, according to the Congressional Research Service; and

WHEREAS, many zoo animal diets rely on equine protein because it mimics what the animal would receive in the wild. Veterinarians and animal nutritionists say it is the healthiest diet for big cats and rare birds. If legislation shuts down horse processing facilities, the only source for this meat that is inspected by the U.S. Department of Agriculture (USDA) will be eliminated:

NOW THEREFORE BE IT RESOLVED that the members of the Missouri Senate, Ninety-Fourth General Assembly, Second Regular Session, the House of Representatives concurring therein, hereby urge the United States Congress to strongly support the continuation of horse processing in the United States and to offer incentives that help create horse processing plants throughout the United States, such as state-inspected horse harvest for export; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly strongly encourage Congress to support new horse processing facilities and the continuation of existing facilities on both the state and national level; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly urge Congress to oppose S. 311 and H.R. 503 of the 110th Congress and strongly support the transportation and processing of horses in the United States and internationally; and

BE IT FURTHER RESOLVED that the members of the Missouri General Assembly support the location of USDA-approved horse processing facilities on state, tribal, or private lands under mutually-acceptable and market-driven land leases and, if necessary, a mutually-acceptable assignment of revenues that meet the needs of all parties involved with the facility; and

BE IT FURTHER RESOLVED that the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President of the United States Senate, the Speaker of the United States House of Representatives and the members of the Missouri Congressional delegation.

In which the concurrence of the House is respectfully requested.

**SIGNING OF SENATE BILL**

All other business of the House was suspended while **SS SCS SB 944** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

## APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SCS HCS HB 2023:** Representatives Icet, Robb, Tilley, Dougherty and Storch

**HCS SCS SB 724:** Representatives Wasson, Jones (117), Bruns, Kuessner and McClanahan

Representative Cox resumed the Chair.

## BILLS IN CONFERENCE

**CCR SCS HCS HB 2009**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 2009** was adopted by the following vote:

AYES: 135

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kratky	Kraus
Lembke	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 019

Bringer	Burnett	Daus	El-Amin	Fallert
Harris 110	Holsman	Hughes	Komo	Kuessner
LeVota	Liese	Low 39	Meadows	Oxford
Roorda	Talbot	Vogt	Whorton	

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PRESENT: 000

ABSENT WITH LEAVE: 007

Cooper 120	Corcoran	Kingery	Lampe	Nasheed
Robinson	Spreng			

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Icet, **CCS SCS HCS HB 2009** was read the third time and passed by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Haywood	Hobbs	Hodges
Hoskins	Hubbard	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kratky	Kraus
Lampe	Lembke	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 019

Bringer	Burnett	Daus	El-Amin	Fallert
Harris 110	Holsman	Hughes	Komo	Kuessner
LeVota	Liese	Low 39	Meadows	Oxford
Roorda	Talboy	Vogt	Whorton	

PRESENT: 000



ABSENT WITH LEAVE: 005

Corcoran Hunter Kingery Robinson Spreng

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR SCS HCS HB 2010**, relating to appropriations, was taken up by Representative Icet.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Whorton	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

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ABSENT WITH LEAVE: 011

Brown 50	Cooper 120	Corcoran	Holsman	Kingery
Robinson	Rucker	Spreng	Stevenson	Vogt
Wildberger				

VACANCIES: 002

On motion of Representative Icet, **CCR SCS HCS HB 2010** was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Dethrow	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Todd	Villa	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 007

Cooper 120	Corcoran	Kingery	Meadows	Robinson
Spreng	Vogt			

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2010** was read the third time and passed by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kraus
Lembke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Dethrow	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lipke	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Storch
Talboy	Todd	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 010

Burnett	Cooper 120	Corcoran	Hughes	Kingery
Marsh	Robinson	Skaggs	Spreng	Vogt

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**HCS SCS SB 720** - Fiscal Review (Fiscal Note)

### **COMMITTEE REPORTS**

**Committee on Judiciary**, Chairman Stevenson reporting:

Mr. Speaker: Your Committee on Judiciary, to which was returned **HCS SCS SB 781**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on General Laws**, Chairman Jones (89) reporting:

Mr. Speaker: Your Special Committee on General Laws, to which was referred **SCS SB 1172**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Health Insurance**, Chairman Wilson (130) reporting:

Mr. Speaker: Your Special Committee on Health Insurance, to which was referred **SS SB 817**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on State Parks and Waterways**, Chairman Pollock reporting:

Mr. Speaker: Your Special Committee on State Parks and Waterways, to which was referred **SCS SB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Urban Issues**, Chairman Hubbard reporting:

Mr. Speaker: Your Special Committee on Urban Issues, to which was referred **HB 2556**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2002**, and has taken up and passed **CCS SCS HCS HB 2002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2003**, and has taken up and passed **CCS SCS HCS HB 2003**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HB 2004**, and has taken up and passed **CCS SCS HB 2004**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2005**, and has taken up and passed **CCS SCS HCS HB 2005, as amended by House Perfecting Amendment No. 1**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2006**, and has taken up and passed **CCS SCS HCS HB 2006**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2007**, and has taken up and passed **CCS SCS HCS HB 2007**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2008**, and has taken up and passed **CCS SCS HCS HB 2008**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2009**, and has taken up and passed **CCS SCS HCS HB 2009**.

## CONFERENCE COMMITTEE REPORT ON HOUSE COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 841

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 841, with House Amendment No. 1 and House Substitute Amendment No. 1 for House Amendment No. 2, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 841, as amended;
2. The Senate recede from its position on Senate Bill No. 841;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 841, be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Bill Stouffer  
/s/ Dan Clemens  
/s/ Jack Goodman  
/s/ Wes Shoemyer  
/s/ Victor Callahan

**FOR THE HOUSE:**

/s/ Neal St. Onge  
/s/ Shannon Cooper  
/s/ Jay Wasson  
/s/ Joe Fallert  
/s/ Tim Meadows

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, May 7, 2008.

**COMMITTEE MEETINGS**

**CONFERENCE COMMITTEE - APPROPRIATIONS**

Wednesday, May 7, 2008, 4:00 p.m. Senate Lounge.

Executive session may follow.

Public hearing to be held on: SCS HCS HB 2023

**CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 8, 2008, 8:30 a.m. Senate Committee Room 2.

Executive session may follow.

Public hearing to be held on: SCS HCS HB 2023

**CONSERVATION AND NATURAL RESOURCES**

Wednesday, May 7, 2008, 8:00 a.m. Hearing Room 4.

Executive session may follow.

Public hearings to be held on: SJR 45, SCS SB 1040, SCR 29

**FISCAL REVIEW**

Wednesday, May 7, 2008, 8:30 a.m. Hearing Room 5.

Any bills presented to this committee.

**JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Thursday, May 8, 2008, 8:00 a.m. Hearing Room 3.

Second Injury Fund reports continuation.

Testimony from Attorney General's Office.

Some portions of the meeting may be closed pursuant to Section 610.021.

**RULES - PURSUANT TO RULE 25(21)(f)**

Wednesday, May 7, 2008, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearings to be held on: HCS SB 953, HCS#2 SS SCS SB 718,  
HCS SCS SB 732, HCS SCS SB 1081

**SPECIAL COMMITTEE ON ENERGY AND ENVIRONMENT**

Wednesday, May 7, 2008, 9:00 a.m. Hearing Room 6.

Executive session possible.

Public hearing to be held on: SS SCS SB 738

**SPECIAL COMMITTEE ON FAMILY SERVICES**

Wednesday, May 7, 2008, 8:00 a.m. Hearing Room 1.

Executive session may follow.

Public hearings to be held on: HB 2264, SS SCS SB 726

**SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Wednesday, May 7, 2008, Hearing Room 6 upon morning recess.

Executive session may follow.

Public hearing to be held on: SS SCS SB 1283

**SPECIAL COMMITTEE ON UTILITIES**

Wednesday, May 7, 2008, House Chamber south gallery upon morning recess.

Executive session.

**WAYS AND MEANS**

Wednesday, May 7, 2008, Hearing Room 3 upon morning recess.

Executive session will be held.

**HOUSE CALENDAR**

SIXTY-SEVENTH DAY, WEDNESDAY, MAY 7, 2008

**HOUSE JOINT RESOLUTIONS FOR PERFECTION**

- |   |                              |                                    |
|---|------------------------------|------------------------------------|
| 1 | HCS HJR 48 - Cox             | (150 minutes debate on Perfection) |
| 2 | HCS HJR 64 - Chappelle-Nadal |                                    |

**HOUSE BILLS FOR PERFECTION**

- |   |                             |
|---|-----------------------------|
| 1 | HCS HB 1836 - Flook         |
| 2 | HCS#2 HB 1886 - Scharnhorst |
| 3 | HCS HB 1802 - Wilson (130)  |
| 4 | HB 2144 - Whorton           |
| 5 | HB 1535 - Deeken            |
| 6 | HB 1517 - Cox               |
| 7 | HCS HB 2112 - Emery         |

- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HBs 1736 & 2320 - Nolte
- 46 HCS HB 1468 - Pratt
- 47 HCS HBs 1809 & 2173 - Ruzicka
- 48 HCS HB 2420 - Baker (123)
- 49 HCS HB 2421 - Meiners
- 50 HB 2555 - Pearce
- 51 HB 1484 - Muschany
- 52 HCS HB 1880 - Schaaf
- 53 HCS HB 1884 - Quinn (7)



- 54 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 55 HCS HB 2460 - Emery

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**SENATE BILL FOR SECOND READING**

SCS SB 1170

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE JOINT RESOLUTION FOR THIRD READING**

SS SCS SJRs 34 & 30 - Bruns

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenber

- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

#### **SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger
- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 HCS SS SCS SB 711 - Sutherland
- 8 HCS SB 1288, E.C. - Cooper (120)
- 9 HCS SCS SB 901 - Hunter
- 10 SB 1038 - Cox
- 11 SB 885 - Cooper (120)
- 12 SS SCS SB 1059 - Pearce
- 13 SCS SB 1157, E.C. - Walsh
- 14 HCS SCS SBs 1034 & 802, E.C. - Kraus
- 15 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 16 HCS SS SCS SBs 818 & 795 - Smith (14)
- 17 HCS SCS SB 720, (Fiscal Review 5-06-08) - Walsh
- 18 HCS SCS SBs 754 & 794 - Lipke
- 19 HCS SCS SB 765, E.C. - Schneider
- 20 SS SCS SB 768, (Fiscal Review 5-05-08) - Scharnhorst
- 21 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)
- 22 SCS SB 873 - Pratt
- 23 HCS SCS SBs 930 & 947, (Fiscal Review 5-05-08) - St. Onge

- 24 SCS SB 1139 - Stevenson
- 25 SS SB 1159 - Pratt
- 26 HCS SCS SB 1209, (Fiscal Review 5-05-08), E.C. - Sutherland

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS SCS HB 2224 - Jones (117)
- 2 SS HB 1678, as amended - Day
- 3 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 4 SS SCS HCS HB 2393, as amended - Richard
- 5 SCS HCS HB 2034, as amended - Munzlinger
- 6 SS SCS HBs 1384 & HB 2157 - Cox

#### **BILLS CARRYING REQUEST MESSAGES**

- 1 SB 1068, HA 1, HA 3 (request House recede/grant conference/exceed differences) - Sater
- 2 HCS SB 1074, as amended, (request House recede/grant conference) - Smith (14)

#### **BILLS IN CONFERENCE**

- 1 CCR SCS HCS HB 2011 - Icet
- 2 CCR SCS HCS HB 2012 - Icet
- 3 CCR SCS HCS HB 2013 - Icet
- 4 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 5 CCR HCS SB 841, as amended - St. Onge
- 6 HCS SB 958 - Schad
- 7 HCS SCS SB 724, as amended - Jones (117)
- 8 SCS HCS HB 2023 - Icet

#### **SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 31, (4-24-08, Page 1164) - Loehner

#### **HOUSE RESOLUTION**

- HR 185, (4-30-08, Page 1248) - Jones (117)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-SEVENTH DAY, WEDNESDAY, MAY 7, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, Your Word declares, "Blessed is the nation whose God is the Lord, the people He chose for His inheritance." We consider ourselves to be blessed indeed.

As we turn to You, may You continue to bless our land with the choicest gifts of Heaven and of the fruit of the Earth. May we be blessed with the best of what the sun makes grow. May we be blessed with Your favor. May our children and grandchildren be blessed in this land with continual liberty, strength and splendor.

As we scramble to find meaningful completion to this Session, help us to earnestly seek You, rather than power, position, prestige, or riches.

Now, may we rejoice in our coming and going as You, Lord God, direct our steps, correct our thoughts, and guard our speech throughout this day.

We ask these things in the name of Your Son. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Harper Yates, Gabrielle Murphey, Amy Kaznica, David Walker, Dalton Olson, Brent Lamb, Ha Hoang, Christopher Morgan, Britany Phillips, Kody Austin, Jordan Elder, Jack Wright, Brianna Drew, Benjamin Collins Smith and Logan Page.

The Journal of the sixty-sixth day was approved as printed.

## SECOND READING OF SENATE BILL

**SCS SB 1170** was read the second time.

**COMMITTEE REPORTS**

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SBs 930 & 947** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 1209** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**HOUSE BILL WITH SENATE AMENDMENT**

**SS SCS HCS HB 2393, as amended**, relating to incentives for business development, was taken up by Representative Richard.

Representative Pearce assumed the Chair.

Speaker Jetton resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed

Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 008

Corcoran	El-Amin	Haywood	Hubbard	Meadows
Muschany	Ruzicka	Spreng		

VACANCIES: 002

On motion of Representative Richard, **SS SCS HCS HB 2393, as amended**, was adopted by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Haywood	Hobbs	Holsman	Hoskins	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 014

Bringer	Daus	Davis	Dethrow	George
Harris 23	Harris 110	Hodges	Kuessner	McClanahan
Oxford	Robinson	Swinger	Witte	

PRESENT: 000

ABSENT WITH LEAVE: 007

Corcoran	El-Amin	Hubbard	May	Meadows
Ruzicka	Spreng			

VACANCIES: 002

On motion of Representative Richard, **SS SCS HCS HB 2393, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Day
Deeken	Denison	Dixon	Donnelly	Dougherty
Dusenberg	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Hobbs	Holsman
Hoskins	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 014

Bringer	Daus	Davis	Dethrow	George
Harris 23	Harris 110	Hodges	Kuessner	McClanahan
Oxford	Robinson	Swinger	Witte	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Corcoran	El-Amin	Emery	Haywood
Hubbard	Meadows	Ruzicka	Spreng	

VACANCIES: 002

Speaker Jetton declared the bill passed.

### BILLS IN CONFERENCE

**CCR SCS HCS HB 2011**, relating to appropriations, was taken up by Representative Icet.

Speaker Pro Tem Pratt assumed the Chair.

Representative Avery assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Schieffer	Schoemehl	Shively	Skaggs	Storch



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Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Cooper 120	El-Amin	Franz	Hubbard	Meadows
Ruzicka	Scavuzzo	Spreng	Stevenson	

VACANCIES: 002

On motion of Representative Icet, **CCR SCS HCS HB 2011** was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Davis	Dethrow	Donnelly
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	

PRESENT: 002

Swinger	Zweifel
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ABSENT WITH LEAVE: 010

Cooper 120	El-Amin	Franz	Hubbard	Hunter
Meadows	Ruzicka	Scavuzzo	Spreng	Stevenson

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Icet, **CCS SCS HCS HB 2011** was read the third time and passed by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Davis	Dethrow	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Schieffer	Schoemehl	Shively	Skaggs
Storch	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman		

PRESENT: 002

Swinger	Zweifel
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ABSENT WITH LEAVE: 010

Cooper 120	Franz	Hubbard	Hunter	Meadows
Nasheed	Ruzicka	Scavuzzo	Spreng	Walton

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR SCS HCS HB 2012**, relating to appropriations, was taken up by Representative Icet.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Sander	Sater
Schaaf	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Yates	

NOES: 061

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Quinn 9	Robinson
Roorda	Rucker	Salva	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 25	Cooper 120	Franz	Hubbard	Low 39
Meadows	Page	Ruzicka	Scavuzzo	Schad
Spreng	Sutherland	Talboy	Walton	Wright 159
Mr Speaker				

VACANCIES: 002

On motion of Representative Icet, **CCR SCS HCS HB 2012** was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Davis	Dethrow	Donnelly
El-Amin	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

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ABSENT WITH LEAVE: 009

Cooper 120	Franz	Hubbard	Meadows	Nasheed
Ruzicka	Scavuzzo	Spreng	Walton	

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2012** was read the third time and passed by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Denison	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 064

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Davis	Dethrow	Donnelly	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 011

Baker 25	Cooper 120	Franz	Hubbard	Meadows
Nasheed	Parson	Ruzicka	Scavuzzo	Spreng
Walton				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR SCS HCS HB 2013**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 2013** was adopted by the following vote:

AYES: 119

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 50	Bruns	Casey	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Grill	Grisamore	Guest	Hobbs
Hodges	Hoskins	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kratky
Kraus	Lampe	Lembke	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robinson	Rucker	Ruestman
Salva	Sander	Sater	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 029

Baker 25	Bringer	Burnett	Chappelle-Nadal	Darrough
Daus	Davis	Dethrow	George	Harris 23
Harris 110	Holsman	Hughes	Johnson	Komo
Kuessner	LeVota	Liese	Low 39	Lowe 44
Oxford	Quinn 9	Roorda	Shively	Swinger
Talboy	Wildberger	Witte	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 013

Brown 30	Cooper 120	Franz	Funderburk	Haywood
Hubbard	Meadows	Nasheed	Robb	Ruzicka
Scavuzzo	Spreng	Walton		

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2013** was read the third time and passed by the following vote:

AYES: 120

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Day	Deeken	Denison	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Funderburk	Grill	Grisamore
Guest	Haywood	Hobbs	Hodges	Hoskins
Hunter	Ice	Jones 89	Jones 117	Kasten
Kingery	Kratky	Kraus	Lampe	Lembke
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parkinson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Rucker	Ruestman	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zweifel	Mr Speaker

NOES: 030

Baker 25	Bringer	Burnett	Chappelle-Nadal	Darrough
Daus	Davis	Dethrow	George	Harris 23
Harris 110	Holsman	Hughes	Johnson	Komo
Kuessner	LeVota	Liese	Low 39	Lowe 44
Oxford	Quinn 9	Roorda	Shively	Skaggs
Swinger	Talboy	Wildberger	Witte	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper 120	Franz	Hubbard	Kelly	Meadows
Nasheed	Parson	Ruzicka	Scavuzzo	Spreng
Walton				

VACANCIES: 002

Speaker Pro Tem Prattt declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1715**, entitled:

An act to repeal sections 304.157, 306.010, 306.015, 306.100, 306.111, 306.112, 306.114, 306.117, 306.124, 306.125, 306.132, 306.147, 306.163, 306.190, 306.221, 306.228, 565.024, 565.082, 577.023, and 577.080, RSMo, and to enact in lieu thereof twenty-one new sections relating to watercraft, with penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 1.

### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1715, Page 6, Section 306.015, Line 34, by inserting after all of said line the following:

"306.030. 1. The owner of each vessel requiring numbering by this state shall file an application for number with the department of revenue on forms provided by it. The application shall contain a full description of the vessel, factory number or serial number, together with a statement of the applicant's source of title and of any liens or encumbrances on the vessel. For good cause shown the director of revenue may extend the period of time for making such application. The director of revenue shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and, if satisfied that the applicant is the lawful owner of such vessel, or otherwise entitled to have the same registered in his or her name, shall thereupon issue an appropriate certificate of title over the director's signature and sealed with the seal of the director's office, procured and used for such purpose, and a certificate of number stating the number awarded to the vessel. The application shall include a provision stating that the applicant will consent to any inspection necessary to determine compliance with the provisions of this chapter and shall be signed by the owner of the vessel and shall be accompanied by the fee specified in subsection 10 of this section. The owner shall paint on or attach to each side of the bow of the vessel the identification number in a manner as may be prescribed by rules and regulations of the division of water safety in order that it may be clearly visible. The number shall be maintained in legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the vessel for which issued, whenever the vessel is in operation. The operator of a vessel in which such certificate of number is not available for inspection by the state water patrol or, if the operator cannot be determined, the person who is the registered owner of the vessel shall be subject to the penalties provided in section 306.210. Vessels owned by the state or a political subdivision shall be registered but no fee shall be assessed for such registration.

2. Each new vessel sold in this state after January 1, 1970, shall have die stamped on or within three feet of the transom or stern a factory number or serial number.

3. The owner of any vessel already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally approved numbering system of another state shall record the number prior to operating the vessel on the waters of this state in excess of the sixty-day reciprocity period provided for in section 306.080. The recordation and payment of registration fee shall be in the manner and pursuant to the procedure required for the award of a number under subsection 1 of this section. No additional or substitute number shall be issued unless the number is a duplicate of an existing Missouri number.

4. In the event that an agency of the United States government shall have in force an overall system of identification numbering for vessels within the United States, the numbering system employed pursuant to this chapter by the department of revenue shall be in conformity therewith.

5. All records of the department of revenue made and kept pursuant to this section shall be public records.

6. Every certificate of number awarded pursuant to this chapter shall continue in force and effect for a period of three years unless sooner terminated or discontinued in accordance with the provisions of this chapter. Certificates of number may be renewed by the owner in the same manner provided for in the initial securing of the same or in accordance with the provisions of sections 306.010 to 306.030.

7. The department of revenue shall fix the days and months of the year on which certificates of number due to expire during the calendar year shall lapse and no longer be of any force and effect unless renewed pursuant to this chapter and may stagger such dates in order to distribute the workload.



8. When applying for or renewing a vessel's certificate of number, the owner shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the year in which the renewal is due and which reflects that the vessel being renewed is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

9. When applying for or renewing a certificate of registration for a vessel documented with the United States Coast Guard under section 306.016, owners of vessels shall submit a paid personal property tax receipt for the tax year which immediately precedes the year in which the application is made or the renewal is due and which reflects that the vessel is listed as personal property and that all personal property taxes, including delinquent taxes from prior years, have been paid, or a statement certified by the county or township in which the owner's property was assessed showing that the state and county tangible personal property taxes for such previous tax year and all delinquent taxes due have been paid by the applicant or that no such taxes were due.

10. The fee to accompany each application for a certificate of number is:

For vessels under 16 feet in length . . . . .	\$25.00
For vessels at least 16 feet in length but less than 26 feet in length . . . . .	\$55.00
For vessels at least 26 feet in length but less than 40 feet in length . . . . .	\$100.00
For vessels at least 40 feet and over . . . . .	\$150.00.

11. The certificate of title and certificate of number issued by the director of revenue shall be manufactured in a manner to prohibit as nearly as possible the ability to alter, counterfeit, duplicate, or forge such certificate without ready detection.

12. The first two million dollars collected annually under the provisions of this section shall be deposited into the state general revenue fund. All fees collected under the provisions of this section in excess of two million dollars annually shall be deposited in the Missouri state water patrol fund and shall be used exclusively for the Missouri state water patrol.

**13. Notwithstanding the provisions of subsection 10 of this section, vessels at least 16 feet in length but less than 28 feet in length, that are homemade, constructed out of wood, and have a beam of 5 feet or less, shall pay a fee of \$55.00 which shall accompany each application for a certification number.";** and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2010**, and has taken up and passed **CCS SCS HCS HB 2010**.

On motion of Representative Tilley, the House recessed until 2:30 p.m.

### **AFTERNOON SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### **SPECIAL RECOGNITION**

The family of Private First Class Andrew Habsieger was introduced by Representative Casey and presented a resolution in honor of their son, who was killed in the line of duty while supporting Operation Iraqi Freedom.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 2734 through House Resolution No. 2842

### **PERFECTION OF HOUSE JOINT RESOLUTION**

**HCS HJR 48**, relating to voter identification, was taken up by Representative Cox.

Representative Low (39) offered **House Amendment No. 1**.

Representative Brown (30) raised points of order that **House Amendment No. 1** is dilatory and goes beyond the scope of the resolution.

The Chair ruled the second point of order well taken.

Representative Walsh offered **House Amendment No. 2**.

Representative Jones (89) raised a point of order that **House Amendment No. 2** goes beyond the scope of the resolution.

The Chair ruled the point of order well taken.

Representative Zimmerman offered **House Amendment No. 3**.

Representative Jones (89) raised a point of order that **House Amendment No. 3** goes beyond the scope of the resolution.

The Chair ruled the point of order well taken.

Representative Bringer offered **House Amendment No. 4**.

Representative Jones (89) raised a point of order that **House Amendment No. 4** goes beyond the scope of the resolution.

The Chair ruled the point of order well taken.

Representative Skaggs offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for House Joint Resolution No. 48, Section 8, Page 1, Line 1, by inserting "**Beginning January 1, 2009**" before "**Any**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs moved that **House Amendment No. 5** be adopted.

Which motion was defeated by the following vote:

AYES: 069

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Cunningham 86	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Schieffer	Schoemehl	Shively	Silvey
Skaggs	Stevenson	St. Onge	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

NOES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Smith 14	Smith 150	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 120	Corcoran	Meadows	Portwood	Robinson
Ruzicka	Scavuzzo	Spreng		

VACANCIES: 002

Representative Wildberger offered **House Amendment No. 6.**

Representative Jones (89) raised a point of order that **House Amendment No. 6** goes beyond the scope of the resolution.

The Chair ruled the point of order well taken.

Representative Lampe offered **House Amendment No. 7.**

Representative Jones (89) raised a point of order that **House Amendment No. 7** goes beyond the scope of the resolution.

The Chair ruled the point of order well taken.

Representative LeVota offered **House Amendment No. 8.**

Representative Jones (89) raised a point of order that **House Amendment No. 8** goes beyond the scope of the resolution.

The Chair ruled the point of order well taken.

Representative Wilson (130) assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Cox, **HCS HJR 48** was adopted.

On motion of Representative Cox, **HCS HJR 48** was ordered perfected and printed by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Sander

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Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 067

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Robinson	Roorda
Rucker	Salva	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 005

Kelly	Meadows	Ruzicka	Scavuzzo	Spreng
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VACANCIES: 002

Representative Pearce resumed the Chair.

### HOUSE BILL WITH SENATE AMENDMENT

**SS SCS HB 2224**, relating to training for peace officers, was taken up by Representative Jones (117).

Representative Jones (89) moved that the House refuse to adopt **SS SCS HB 2224** and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

### BILLS CARRYING REQUEST MESSAGES

**SB 1068, with House Amendment No. 1 and House Amendment No. 3**, relating to a pharmacy rebate fund, was taken up by Representative Sater.

Representative Sater moved that the House refuse to recede from its position on **House Amendment No. 1** and **House Amendment No. 3** to **SB 1068** and grant the Senate a conference and the House conferees be allowed to exceed the differences for the sole purpose of excluding the Department of Health and Senior Services Program rebates from the fund.

Which motion was adopted.

**HCS SB 1074, as amended**, relating to statutory liens against real estate, was taken up by Representative Smith (14).

Representative Smith (14) moved that the House refuse to recede from its position on **HCS SB 1074, as amended**, and grant the Senate a conference.

Which motion was adopted.

Representative Jones (89) assumed the Chair.

### **THIRD READING OF SENATE BILL**

**HCS SCS SB 901**, relating to workers' compensation, was taken up by Representative Hunter.

Speaker Pro Tem Pratt resumed the Chair.

Representative Nolte offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 901, Section 287.220, Page 8, Line 55, by deleting the word "**twenty**", from said line and inserting in lieu thereof the word "**thirty**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Smith (150) offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

#### *House Substitute Amendment No. 1 for House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 901, Section 287.220, Page 8, Line 55, by deleting the word "**twenty**", from said line and inserting in lieu thereof the word "**thirty-five**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Fisher offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Substitute Amendment No. 1 for House Amendment No. 1 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 901, Page 1, Line 3, by deleting from said line the number "**thirty-five**" and inserting in lieu thereof the number "**forty**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** is not a true amendment to the substitute amendment.

The Chair ruled the point of order not well taken.

Representative Muschany assumed the Chair.

**HCS SCS SB 901, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1 and House Amendment No. 1, pending,** was laid over.

### **REFERRAL OF SENATE BILL**

The following Senate Bill was referred to the Committee indicated:

**SCS SB 1170** - Special Committee on Rural Community Development

### **COMMITTEE REPORTS**

**Committee on Conservation and Natural Resources**, Chairman Hobbs reporting:

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

Mr. Speaker: Your Committee on Conservation and Natural Resources, to which was referred **SCS SB 1040**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Ways and Means**, Chairman Sutherland reporting:

Mr. Speaker: Your Committee on Ways and Means, to which was referred **SB 805**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SS SCS SB 718**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 732**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1081**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2011**, and has taken up and passed **CCS SCS HCS HB 2011**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2012**, and has taken up and passed **CCS SCS HCS HB 2012**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2013**, and has taken up and passed **CCS SCS HCS HB 2013**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 724**, as **amended**, and has taken up and passed **CCS HCS SCS SB 724**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 863** and has taken up and passed **HCS SB 863**.

**RECESS**

Representative Tilley moved that the House stand in recess until the Conference Committee Report on **SCS HCS HB 2023** has been distributed, and then stand adjourned until 10:00 a.m., Thursday, May 8, 2008.



**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 724**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, with House Amendments Nos. 1, 2, and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 724;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 724, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Delbert Scott  
/s/ Norma Champion  
/s/ Timothy Green  
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Kenny Jones  
/s/ Mark Bruns  
/s/ Jay Wasson  
/s/ Rebecca McClanahan

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2023**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2023, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2023.
2. That the House recede from its position on House Committee Substitute for House Bill No. 2023.

3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2023, be truly agreed to and finally passed.

FOR THE SENATE:

/s/ Gary Nodler  
/s/ Robert Mayer  
/s/ Scott Rupp  
/s/ Joan Bray  
/s/ Timothy Green

FOR THE HOUSE:

/s/ Allen Icet  
/s/ Ed Robb  
/s/ Steven Tilley  
/s/ Curt Dougherty  
/s/ Rachel Storch

The following member's presence was noted: Meadows.

### **ADJOURNMENT**

Pursuant to the motion of Representative Tilley, the House adjourned until 10:00 a.m., Thursday, May 8, 2008.

### **COMMITTEE MEETINGS**

#### **CONFERENCE COMMITTEE - APPROPRIATIONS**

Thursday, May 8, 2008, 8:30 a.m. Senate Committee Room 2.

Executive session may follow. CANCELLED.

Public hearing to be held on: SCS HCS HB 2023

#### **FISCAL REVIEW**

Thursday, May 8, 2008, 9:00 a.m. Hearing Room 1.

Any House or Senate bills presented to this committee.

#### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, May 12, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports continuation.

Testimony from Attorney General's Office.

Some portions of the meeting may be closed pursuant to Section 610.021. AMENDED.

#### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, May 8, 2008, Hearing Room 1 upon afternoon adjournment.

Executive session may follow.

Public hearings to be held on: SJR 45, SCS SB 1040, SCS SB 1107,

HCS SCS SB 1172, HCS#2 SB 976, SCR 29, HCS HB 2210, HB 1539, HB 2556

#### **SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Thursday, May 8, 2008, 9:00 a.m. Hearing Room 3.

Executive session.

SPECIAL COMMITTEE ON RURAL COMMUNITY DEVELOPMENT  
Thursday, May 8, 2008, House Chamber south gallery upon morning recess.  
Executive session may follow. AMENDED.  
Public hearing to be held on: SCS SB 1170

## **HOUSE CALENDAR**

SIXTY-EIGHTH DAY, THURSDAY, MAY 8, 2008

### **HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 64 - Chappelle-Nadal

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)

- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HBs 1736 & 2320 - Nolte
- 46 HCS HB 1468 - Pratt
- 47 HCS HBs 1809 & 2173 - Ruzicka
- 48 HCS HB 2420 - Baker (123)
- 49 HCS HB 2421 - Meiners
- 50 HB 2555 - Pearce
- 51 HB 1484 - Muschany
- 52 HCS HB 1880 - Schaaf
- 53 HCS HB 1884 - Quinn (7)
- 54 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 55 HCS HB 2460 - Emery

#### **HOUSE JOINT RESOLUTION FOR THIRD READING**

HCS HJR 48 - Cox

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE JOINT RESOLUTION FOR THIRD READING**

SS SCS SJRs 34 & 30 - Bruns

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger
- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 HCS SS SCS SB 711 - Sutherland
- 8 HCS SB 1288, E.C. - Cooper (120)
- 9 HCS SCS SB 901, HA 1 to HSA 1 for HA 1, HSA for HA 1, HA 1, pending - Hunter
- 10 SB 1038 - Cox
- 11 SB 885 - Cooper (120)
- 12 SS SCS SB 1059 - Pearce
- 13 SCS SB 1157, E.C. - Walsh
- 14 HCS SCS SBs 1034 & 802, E.C. - Kraus
- 15 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 16 HCS SS SCS SBs 818 & 795 - Smith (14)
- 17 HCS SCS SB 720, (Fiscal Review 5-06-08) - Smith (150)
- 18 HCS SCS SBs 754 & 794 - Lipke
- 19 HCS SCS SB 765, E.C. - Schneider
- 20 SS SCS SB 768, (Fiscal Review 5-05-08) - Scharnhorst
- 21 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)
- 22 SCS SB 873 - Pratt
- 23 HCS SCS SBs 930 & 947 - St. Onge
- 24 SCS SB 1139 - Stevenson
- 25 SS SB 1159 - Pratt
- 26 HCS SCS SB 1209, E.C. - Sutherland
- 27 HCS SB 925 - Aull
- 28 HCS SCS SB 994, E.C. - Wallace

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS HB 1678, as amended - Day
- 2 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 3 SCS HCS HB 2034, as amended - Munzlinger
- 4 SS SCS HBs 1384 & HB 2157 - Cox
- 5 SS SCS HCR 30, (5-06-08, Pages 1347-1348) - Emery

**BILL CARRYING REQUEST MESSAGE**

- SS SCS HB 2224, (request Senate recede/grant conference) - Jones (117)

**BILLS IN CONFERENCE**

- 1 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 2 CCR HCS SB 841, as amended - St. Onge
- 3 HCS SB 958 - Schad
- 4 CCR HCS SCS SB 724, as amended - Jones (117)
- 5 CCR SCS HCS HB 2023 - Icet
- 6 SB 1068, HA 1, HA 3 - Sater
- 7 HCS SB 1074, as amended - Smith (14)

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 31, (4-24-08, Page 1164) - Loehner

**HOUSE RESOLUTION**

HR 185, (4-30-08, Page 1248) - Jones (117)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-EIGHTH DAY, THURSDAY, MAY 8, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

*(This prayer has been prayed all over our nation during the past week, beginning on the National Day of Prayer, of last Thursday.)*

## **2008 Prayer for Our Nation**

Holy Father, in a world where so many are hungry,  
You have given us food in abundance;

In a world where so many are hurting,  
You offer to bind up our wounds;

In a world where so many are lonely,  
You offer friendship to every heart;

In a world longing for peace,  
You offer hope.

Yet, we are so stubborn and resistant.  
Have mercy upon us, Lord.

Our nation is at a crossroads this year;  
We look to You to be our strength and shield.

Please give us the guidance to elect one who will honor You  
And to respond to the wisdom from above  
So that our hope may be renewed and our blessings be treasured.

In God's Holy name.

*Composed by Dr. Ravi Zacharias*

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Katie Misner, Andrew Chatmon and Matthew Chatmon.

The Journal of the sixty-seventh day was approved as printed.



## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2843 through House Resolution No. 2923

### COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **SS SCS SB 768** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Representative Emery assumed the Chair.

### BILL IN CONFERENCE

**CCR SCS HCS HB 2023**, relating to appropriations, was taken up by Representative Icet.

On motion of Representative Icet, **CCR SCS HCS HB 2023** was adopted by the following vote:

AYES: 123

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 86	Darrough
Day	Denison	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Faith	Fallert	Fares
Fisher	Frame	Franz	Funderburk	Grill
Grisamore	Harris 23	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	ICet	Johnson
Jones 89	Jones 117	Kingery	Komo	Kratky
Lampe	Lembke	LeVota	Liese	Loehner
Lowe 44	Marsh	May	McClanahan	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Vogt	Wallace	Walsh	Walton	Wasson
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 032

Baker 123	Bland	Brown 30	Brown 50	Burnett
Cunningham 145	Curls	Daus	Davis	Deeken
Dethrow	Ervin	Flook	George	Guest

Harris 110	Kelly	Kraus	Kuessner	Lipke
Low 39	McGhee	Pollock	Portwood	Sander
Silvey	Skaggs	Talboy	Villa	Wells
Whorton	Witte			

PRESENT: 000

ABSENT WITH LEAVE: 006

El-Amin	Hubbard	Hunter	Kasten	Sater
Spreng				

VACANCIES: 002

On motion of Representative Icet, **CCS SCS HCS HB 2023** was read the third time and passed by the following vote:

AYES: 118

Aull	Baker 25	Bivins	Brandom	Bringer
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 86	Darrough	Day
Denison	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	Grill	Grisamore
Harris 23	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hughes	Ice	Johnson	Jones 117
Kingery	Komo	Kratky	Lampe	Lembke
LeVota	Liese	Loehner	Marsh	May
McClanahan	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pratt	Quinn 7	Quinn 9
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Vogt	Wallace	Walsh	Walton
Wasson	Weter	Wildberger	Wilson 130	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 035

Avery	Baker 123	Bland	Brown 30	Brown 50
Burnett	Cunningham 145	Curls	Daus	Davis
Deeken	Dethrow	Ervin	Flook	George
Guest	Harris 110	Jones 89	Kelly	Kraus
Kuessner	Lipke	Low 39	McGhee	Pollock
Portwood	Sander	Silvey	Skaggs	Talboy
Villa	Wells	Whorton	Wilson 119	Witte

PRESENT: 000

ABSENT WITH LEAVE: 008

El-Amin	Hubbard	Hunter	Kasten	Lowe 44
Richard	Sater	Sprenge		

VACANCIES: 002

Representative Emery declared the bill passed.

### THIRD READING OF SENATE BILL

**HCS SB 1010**, relating to conveyances of state property, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 1010, Page 2, Section 2, Lines 1 to 45, by deleting all of said lines and inserting in lieu thereof the following:

**"Section 2. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in a tract of land owned by the state in Camden County to the division of state parks of the department of natural resources. The property to be conveyed is more particularly described as follows:**

**A part of lands described by the Quit Claim Deed filed at Book 85, Page 195 in the Office of the Recorder of Deeds for Camden County, Missouri lying above the 662 ft. contour elevation of the Lake of the Ozarks in the South one half of Lot 2 of the northwest quarter of Section 19, Township 39 North, Range 15 West, Camden County, Missouri and more particularly described as follows:**

**Commencing at the southwest corner of the North one half of Lot 2 of the northwest quarter of said Section 19; thence along the North line of the South one half of Lot 2 of the northwest quarter of said Section 19, S 88° 57' 08" E - 931.4 ft., (Call by Deed filed at Book 89, Page 60 = East - 931.4 ft.), to its intersection with the 662 ft. contour elevation of the Lake of the Ozarks at the southwest corner of lands described by the General Warranty Deed filed at Book 89, Page 60 in the Camden County, Missouri Deed records and the POINT OF BEGINNING for the herein described tract of land; thence continue along the North line of the South one half of Lot 2 of the northwest quarter of said Section 19 and the South line of said tract of land described by Deed filed at Book 89, Page 60, S 88° 57' 08" E - 298.98 ft. to a point on the 662 ft. contour elevation of the Lake of the Ozarks; thence along said 662 ft. contour elevation of the Lake of the Ozarks on a traverse closure line approximating the meanders of said 662 ft. contour elevation of the Lake of the Ozarks on the following courses:**

**S 47° 14' 28" W - 32.85 ft., S 62° 46' 15" W - 54.6 ft., S 67° 09' 35" W - 67.89 ft., S 81° 46' 22" W - 55.76 ft., N 63° 34' 01" W - 41.21 ft., N 53° 48' 29" W - 48.77 ft., N 44° 06' 59" W - 35.58 ft. and N 27° 29' 28" W - 16.23 ft. to the point of beginning.**

**Containing in area 0.367 acres.**

**Subject to all rights of way, easements, restrictions, reservations and conditions of record and to all utilities as the same may now be located.**

Description as per Survey No. 2007-12-4120, GARY B. GEORGE SURVEYORS, INC., Lake Ozark, Mo.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale. Consideration for the conveyance shall be for the sum of one dollar.

3. The attorney general shall approve the form of the instrument of conveyance."; and

Further amend said bill, Page 3, Section 3, Lines 1 to 61, by deleting all of said lines and inserting after all of said line the following:

"Section 3. 1. The governor is hereby authorized and empowered to sell, transfer, grant, and convey all interest in fee simple absolute in a tract of land owned by the state in Camden County to the division of state parks of the department of natural resources. The property to be conveyed is more particularly described as follows:

A part of lands described by the Quit Claim Deed filed at Book 85, Page 195 in the Office of the Recorder of Deeds for Camden County, Missouri in the North one half of Lot 2 of the northwest quarter of Section 19, Township 39 North, Range 15 West, Camden County, Missouri and more particularly described as follows:

Commencing at the southwest corner of the North one half of Lot 2 of the northwest quarter of said Section 19; thence along the North line of the South one half of Lot 2 of the northwest quarter of said Section 19, S 88° 57' 08" E - 931.4 ft., (Call by Deed filed at Book 89, Page 60 = East - 931.4 ft.), to its intersection with the 662 ft. contour elevation of the Lake of the Ozarks at the southwest corner of lands described by the General Warranty Deed filed at Book 89, Page 60 in the Camden County, Missouri Deed Records; thence departing said North line of the South one half of Lot 2 of the northwest quarter of said Section 19 and said southwest corner of lands described by the General Warranty Deed filed at Book 89, Page 60 in the Camden County, Missouri Deed records at the 662 ft. contour elevation of the Lake of the Ozarks along and with the West boundary line of said lands described by the General Warranty Deed filed at Book 89, Page 60, N 01° 02' 55" E - 525.43 ft., (Call by Deed filed at Book 89, Page 60 = North - 508.1 ft.), to an iron pin set on the South right of way line of a 30 ft. wide private roadway, (Deed Call = South side of the present roadway across said premises), which monuments the northwest corner of said lands described by the General Warranty Deed filed at Book 89, Page 60 and the POINT OF BEGINNING for the herein described tract of land; thence continue along the northerly prolongation of the West boundary line of said lands described by the General Warranty Deed filed at Book 89, Page 60, N 01° 02' 55" E - 156.77 ft. to an iron pin set to monument its intersection with the South right of way line of Whispering Oaks Road, A.K.A. Lake Road 134-2, (50 ft. wide County Road); thence along and with the South right of way line of Whispering Oaks Road, (50 ft. wide County Road), on the following courses: N 67° 55' 02" E - 307.51 ft., N 73° 00' 17" E - 74.6 ft., N 76° 14' 29" E - 112.27 ft., N 80° 30' 32" E - 75.28 ft. and N 85° 06' 13" E - 147.56 ft. to an iron pin monumenting its intersection with the East line of the North one half of Lot 2 of the northwest quarter of Section 19; thence departing the South right of way line of Whispering Oaks Road, (50 ft. wide County Road), along and with the East line of the North one half of Lot 2 of the northwest quarter of said Section 19, S 01° 02' 55" W - 253.27 ft. to the northeast corner of the said lands described by the General Warranty Deed filed at Book 89, Page 60 in the Camden County, Missouri Deed Records on the South right of way line of a 30 ft. wide private roadway, (Deed Call = South side of the present roadway); thence departing the East line of the North one half of Lot 2 of the northwest quarter of said Section 19 along and with the South right of way line of the 30 ft. wide private roadway, (South side of the present roadway) and the North Boundary of the lands described by the General Warranty Deed filed at Book 89, Page 60 on the following monumented courses: N 74° 13' 52" W - 253.87 ft., S 63° 59' 40" W - 404.41 ft. and N 78° 29' 19" W - 78.64 ft. to the point of beginning.

Containing in area 3.015 acres.

Subject to all rights of way, easements, restrictions, reservations and conditions of record and to all utilities as the same may now be located.

Description as per Survey No. 2007-12-4120, GARY B. GEORGE SURVEYORS, INC., Lake Ozark, Mo.

2. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the number of appraisals required, the time, place, and terms of the sale. Consideration for the conveyance shall be for the sum of one dollar.

3. The attorney general shall approve the form of the instrument of conveyance.

Section 4. The department of natural resources shall convey the properties described in sections 2 and 3 of this act in return for the conveyance of like property to the department."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Zimmerman offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute for Senate Bill No. 1010, Page 5, Section 4, Line 7, by inserting after the word "department." the following language:

"Such conveyance shall be determined through an open process of competitive bidding open to all persons seeking to exchange like property.".

**House Amendment No. 1 to House Amendment No. 1** was withdrawn.

**House Amendment No. 1** was withdrawn.

Representative Stevenson moved that **HCS SB 1010** be adopted.

Which motion was defeated.

**SB 1010** was laid over.

### **THIRD READING OF HOUSE JOINT RESOLUTION**

**HCS HJR 48**, relating to voter identification, was taken up by Representative Cox.

Representatives Nieves assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 069

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 006

Cooper 120	Emery	Loehner	Marsh	Sater
Spreng				

VACANCIES: 002

On motion of Representative Cox, **HCS HJR 48** was read the third time and passed by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 069

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Guest	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 004

El-Amin	Loehner	Sater	Spreng
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VACANCIES: 002

Representative Nieves declared the bill passed.

Speaker Pro Tem Pratt assumed the Chair.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 901, with House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1, House Substitute Amendment No. 1 for House Amendment No. 1, and House Amendment No. 1, pending**, relating to workers' compensation, was taken up by Representative Hunter.

Representative Scharnhorst assumed the Chair.

On motion of Representative Fisher, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 1** was adopted by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Lembke
Loehner	Marsh	May	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 069

Aull	Avery	Baker 25	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000



ABSENT WITH LEAVE: 008

Kraus	Lipke	McGhee	Robinson	Sater
Schneider	Spreng	Walton		

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Smith (150), **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

Representative Jones (89) offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 901, Section 287.715, Page 19, Line 75, by inserting immediately after said line the following:

"**290.595. 1. As used in this section, the term "proper authorities" shall mean public authorities or authorities of the employer, but shall not include any individual who engaged in the reported illegal conduct.**

**2. The at-will employment doctrine shall not control when the elements of a whistle-blower cause of action are established. A whistle-blower cause of action for wrongful discharge in violation of public policy is established if an employee proves by a preponderance of the evidence that:**

**(1) The employee reported to a proper authority conduct that the employee had a good faith and reasonable belief violated a statute, constitutional provision, or regulation and a clearly mandated public policy;**

**(2) The employee was discharged; and**

**(3) The employee's report to a proper authority was the exclusive factor in the discharge.**

**3. The at-will employment doctrine shall not control when the elements of a refusal to commit an illegal act cause of action are established. A refusal to commit an illegal act cause of action for wrongful discharge in violation of public policy is established if an employee proves by a preponderance of the evidence that:**

**(1) The employer directed the employee to perform conduct that the employee had a good faith and reasonable belief would, if completed, violate a statute, constitutional provision, or regulation and a clearly mandated public policy;**

**(2) The employee specifically refused to perform the unlawful act;**

**(3) The employee was discharged; and**

**(4) The employee's refusal to perform the unlawful act was the exclusive factor in the discharge."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order not timely.

On motion of Representative Jones (89), **House Amendment No. 2** was adopted.

Representative Stevenson offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 901, Section 287.715, Page 19, Line 75, by inserting immediately after said line the following:

**"Section 1. Beginning January 1, 2009, and notwithstanding any other provision of law, no attorney shall make any contribution to any committee, as that term is defined under section 130.011, during a single year if such attorney has received any income as a result of his or her legal services from the payment of funds from the second injury fund established pursuant to section 287.220, RSMo, during the same year.**

**2. No family member related to an attorney within the third degree of consanguity or affinity shall make a donation to a committee if the attorney to whom they are related is prohibited from making a contribution to the committee pursuant to this section.**

**3. No law firm employing an attorney in any capacity whatsoever shall make a contribution to a committee if the attorney is prohibited from making a contribution to the committee pursuant to this section.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fisher offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*

*to*

*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 901, Page 1, Line 4, by deleting all of said line and inserting in lieu thereof the following:

**"Section 1. Beginning August 28, 2008, and notwithstanding any other provision of law, no";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Fisher, **House Amendment No. 1 to House Amendment No. 3** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 117	Kasten	Kingery	Kraus
Lembke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Schaaf	Schad	Schamhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock

## 1402 *Journal of the House*

Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 062

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 014

Bland	Brown 50	Dougherty	El-Amin	Jones 89
Kelly	Lipke	Pollock	Portwood	Robinson
Rucker	Sater	Spreng	Walton	

VACANCIES: 002

On motion of Representative Stevenson, **House Amendment No. 3, as amended**, was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kingery
Kraus	Lembke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter

Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 001

Bland

ABSENT WITH LEAVE: 012

Dougherty	El-Amin	Haywood	Kelly	Lipke
Portwood	Robinson	Rucker	Sater	Smith 150
Spreng	Walton			

VACANCIES: 002

Representative Hunter moved that **HCS SCS SB 901, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 065

Baker 123	Bivins	Brandom	Cooper 120	Cunningham 145
Cunningham 86	Davis	Deeken	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Franz	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kingery	Loehner
Marsh	May	Moore	Munzlinger	Muschany
Nance	Nieves	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Smith 150	Stevenson	Stream	Thomson	Threlkeld
Viebrock	Wallace	Wasson	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 087

Aull	Baker 25	Bland	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Curls	Darrough
Daus	Day	Donnelly	Dougherty	Dusenberg

Fallert	Flook	Frame	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Nolte	Norr	Onder	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schneider	Schoemehl	Shively
Silvey	Skaggs	Smith 14	St. Onge	Storch
Sutherland	Swinger	Talboy	Tilley	Todd
Villa	Vogt	Walsh	Wells	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 009

Avery	El-Amin	Kelly	Lipke	McGhee
Robinson	Sater	Spreng	Walton	

VACANCIES: 002

**SCS SB 901** was laid over.

**HCS SB 1288**, relating to ethics, was taken up by Representative Cooper (120).

Representative Cooper (120) offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 1288, Section 130.032, Pages 5 through 7, Lines 1 through 73, by removing all of said section from the bill; and

Further amend said bill, Section 130.032, Page 7, Line 73, by inserting after all of said section the following:

**"Section 1. Any committee which is unable to return a nonallowable contribution to a contributor because the contributor:**

- (1) Cannot be located following a reasonable attempt to locate the contributor;**
- (2) Returns the nonallowable contribution or otherwise refuses acceptance of the nonallowable contribution; or**
- (3) Is a committee which has terminated;**

**may transfer the nonallowable contribution to the director of revenue for deposit to the general revenue of the state, or may make an unconditional gift which is fully vested to any charitable, fraternal, or civic organization or association formed to provide for some good in the order of benevolence as set forth in subdivision (7) of subsection 2 of section 130.034."**; and

Further amend said bill, Section B, by removing all of said section from the bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 1** was adopted.

Representative Nieves resumed the Chair.

Representative Talboy offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Bill No. 1288, Section 105.473, Page 5, by inserting after all of said section and line the following:

- "130.011. As used in this chapter, unless the context clearly indicates otherwise, the following terms mean:
- (1) "Appropriate officer" or "appropriate officers", the person or persons designated in section 130.026 to receive certain required statements and reports;
  - (2) "Ballot measure" or "measure", any proposal submitted or intended to be submitted to qualified voters for their approval or rejection, including any proposal submitted by initiative petition, referendum petition, or by the general assembly or any local governmental body having authority to refer proposals to the voter;
  - (3) "Candidate", an individual who seeks nomination or election to public office. The term "candidate" includes an elected officeholder who is the subject of a recall election, an individual who seeks nomination by the individual's political party for election to public office, an individual standing for retention in an election to an office to which the individual was previously appointed, an individual who seeks nomination or election whether or not the specific elective public office to be sought has been finally determined by such individual at the time the individual meets the conditions described in paragraph (a) or (b) of this subdivision, and an individual who is a write-in candidate as defined in subdivision (28) of this section. A candidate shall be deemed to seek nomination or election when the person first:
    - (a) Receives contributions or makes expenditures or reserves space or facilities with intent to promote the person's candidacy for office; or
    - (b) Knows or has reason to know that contributions are being received or expenditures are being made or space or facilities are being reserved with the intent to promote the person's candidacy for office; except that, such individual shall not be deemed a candidate if the person files a statement with the appropriate officer within five days after learning of the receipt of contributions, the making of expenditures, or the reservation of space or facilities disavowing the candidacy and stating that the person will not accept nomination or take office if elected; provided that, if the election at which such individual is supported as a candidate is to take place within five days after the person's learning of the above-specified activities, the individual shall file the statement disavowing the candidacy within one day; or
    - (c) Announces or files a declaration of candidacy for office;
  - (4) "Cash", currency, coin, United States postage stamps, or any negotiable instrument which can be transferred from one person to another person without the signature or endorsement of the transferor;
  - (5) "Check", a check drawn on a state or federal bank, or a draft on a negotiable order of withdrawal account in a savings and loan association or a share draft account in a credit union;
  - (6) "Closing date", the date through which a statement or report is required to be complete;
  - (7) "Committee", a person or any combination of persons, who accepts contributions or makes expenditures for the [primary or incidental] purpose of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee or for the purpose of contributing funds to another committee:
    - (a) "Committee", does not include:
      - a. A person or combination of persons, if neither the aggregate of expenditures made nor the aggregate of contributions received during a calendar year exceeds five hundred dollars and if no single contributor has contributed more than two hundred fifty dollars of such aggregate contributions;
      - b. An individual, other than a candidate, who accepts no contributions and who deals only with the individual's own funds or property;
      - c. A corporation, cooperative association, partnership, proprietorship, or joint venture organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates or the qualification, passage or defeat of any ballot measure, and it accepts no contributions, and all expenditures it makes are from its own funds or property obtained in the usual course of business or in any commercial or other transaction and which are not contributions as defined by subdivision (12) of this section;]

d. A labor organization organized or operated for a primary or principal purpose other than that of influencing or attempting to influence the action of voters for or against the nomination or election to public office of one or more candidates, or the qualification, passage, or defeat of any ballot measure, and it accepts no contributions, and expenditures made by the organization are from its own funds or property received from membership dues or membership fees which were given or solicited for the purpose of supporting the normal and usual activities and functions of the organization and which are not contributions as defined by subdivision (12) of this section;

e. A person who acts as an authorized agent for a committee in soliciting or receiving contributions or in making expenditures or incurring indebtedness on behalf of the committee if such person renders to the committee treasurer or deputy treasurer or candidate, if applicable, an accurate account of each receipt or other transaction in the detail required by the treasurer to comply with all record-keeping and reporting requirements of this chapter;

f. Any department, agency, board, institution or other entity of the state or any of its subdivisions or any officer or employee thereof, acting in the person's official capacity;

(b) The term "committee" includes, but is not limited to, each of the following committees: campaign committee, candidate committee, continuing committee and political party committee;

(8) "Campaign committee", a committee, other than a candidate committee, which shall be formed by an individual or group of individuals to receive contributions or make expenditures and whose sole purpose is to support or oppose the qualification and passage of one or more particular ballot measures in an election or the retention of judges under the nonpartisan court plan, such committee shall be formed no later than thirty days prior to the election for which the committee receives contributions or makes expenditures, and which shall terminate the later of either thirty days after the general election or upon the satisfaction of all committee debt after the general election, except that no committee retiring debt shall engage in any other activities in support of a measure for which the committee was formed;

(9) "Candidate committee", a committee which shall be formed by a candidate to receive contributions or make expenditures in behalf of the person's candidacy and which shall continue in existence for use by an elected candidate or which shall terminate the later of either thirty days after the general election for a candidate who was not elected or upon the satisfaction of all committee debt after the election, except that no committee retiring debt shall engage in any other activities in support of the candidate for which the committee was formed. Any candidate for elective office shall have only one candidate committee for the elective office sought, which is controlled directly by the candidate for the purpose of making expenditures. A candidate committee is presumed to be under the control and direction of the candidate unless the candidate files an affidavit with the appropriate officer stating that the committee is acting without control or direction on the candidate's part;

(10) "Continuing committee", a committee of continuing existence which is not formed, controlled or directed by a candidate, and is a committee other than a candidate committee or campaign committee, whose primary or incidental purpose is to receive contributions or make expenditures to influence or attempt to influence the action of voters whether or not a particular candidate or candidates or a particular ballot measure or measures to be supported or opposed has been determined at the time the committee is required to file any statement or report pursuant to the provisions of this chapter. "Continuing committee" includes, but is not limited to, any committee organized or sponsored by a business entity, a labor organization, a professional association, a trade or business association, a club or other organization and whose primary purpose is to solicit, accept and use contributions from the members, employees or stockholders of such entity and any individual or group of individuals who accept and use contributions to influence or attempt to influence the action of voters. Such committee shall be formed no later than sixty days prior to the election for which the committee receives contributions or makes expenditures;

(11) "Connected organization", any organization such as a corporation, a labor organization, a membership organization, a cooperative, or trade or professional association which expends funds or provides services or facilities to establish, administer or maintain a committee or to solicit contributions to a committee from its members, officers, directors, employees or security holders. An organization shall be deemed to be the connected organization if more than fifty percent of the persons making contributions to the committee during the current calendar year are members, officers, directors, employees or security holders of such organization or their spouses;

(12) "Contribution", a payment, gift, loan, advance, deposit, or donation of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification, passage or defeat of any ballot measure, or for the support of any committee supporting or opposing candidates or ballot measures or for paying debts or obligations of any candidate or committee previously incurred for the above purposes. A contribution of anything of value shall be deemed to have a money value equivalent to the fair market value. "Contribution" includes, but is not limited to:

(a) A candidate's own money or property used in support of the person's candidacy other than expense of the candidate's food, lodging, travel, and payment of any fee necessary to the filing for public office;

(b) Payment by any person, other than a candidate or committee, to compensate another person for services rendered to that candidate or committee;

(c) Receipts from the sale of goods and services, including the sale of advertising space in a brochure, booklet, program or pamphlet of a candidate or committee and the sale of tickets or political merchandise;

(d) Receipts from fund-raising events including testimonial affairs;

(e) Any loan, guarantee of a loan, cancellation or forgiveness of a loan or debt or other obligation by a third party, or payment of a loan or debt or other obligation by a third party if the loan or debt or other obligation was contracted, used, or intended, in whole or in part, for use in an election campaign or used or intended for the payment of such debts or obligations of a candidate or committee previously incurred, or which was made or received by a committee;

(f) Funds received by a committee which are transferred to such committee from another committee or other source, except funds received by a candidate committee as a transfer of funds from another candidate committee controlled by the same candidate but such transfer shall be included in the disclosure reports;

(g) Facilities, office space or equipment supplied by any person to a candidate or committee without charge or at reduced charges, except gratuitous space for meeting purposes which is made available regularly to the public, including other candidates or committees, on an equal basis for similar purposes on the same conditions;

(h) The direct or indirect payment by any person, other than a connected organization, of the costs of establishing, administering, or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee;

(i) "Contribution" does not include:

a. Ordinary home hospitality or services provided without compensation by individuals volunteering their time in support of or in opposition to a candidate, committee or ballot measure, nor the necessary and ordinary personal expenses of such volunteers incidental to the performance of voluntary activities, so long as no compensation is directly or indirectly asked or given;

b. An offer or tender of a contribution which is expressly and unconditionally rejected and returned to the donor within ten business days after receipt or transmitted to the state treasurer;

c. Interest earned on deposit of committee funds;

d. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

(13) "County", any one of the several counties of this state or the city of St. Louis;

(14) "Disclosure report", an itemized report of receipts, expenditures and incurred indebtedness which is prepared on forms approved by the Missouri ethics commission and filed at the times and places prescribed;

(15) "Election", any primary, general or special election held to nominate or elect an individual to public office, to retain or recall an elected officeholder or to submit a ballot measure to the voters, and any caucus or other meeting of a political party or a political party committee at which that party's candidate or candidates for public office are officially selected. A primary election and the succeeding general election shall be considered separate elections;

(16) "Expenditure", a payment, advance, conveyance, deposit, donation or contribution of money or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee; a payment, or an agreement or promise to pay, money or anything of value, including a candidate's own money or property, for the purchase of goods, services, property, facilities or anything of value for the purpose of supporting or opposing the nomination or election of any candidate for public office or the qualification or passage of any ballot measure or for the support of any committee which in turn supports or opposes any candidate or ballot measure or for the purpose of paying a previously incurred campaign debt or obligation of a candidate or the debts or obligations of a committee. An expenditure of anything of value shall be deemed to have a money value equivalent to the fair market value. "Expenditure" includes, but is not limited to:

(a) Payment by anyone other than a committee for services of another person rendered to such committee;

(b) The purchase of tickets, goods, services or political merchandise in connection with any testimonial affair or fund-raising event of or for candidates or committees, or the purchase of advertising in a brochure, booklet, program or pamphlet of a candidate or committee;

(c) The transfer of funds by one committee to another committee;



(d) The direct or indirect payment by any person, other than a connected organization for a committee, of the costs of establishing, administering or maintaining a committee, including legal, accounting and computer services, fund raising and solicitation of contributions for a committee; but

(e) "Expenditure" does not include:

a. Any news story, commentary or editorial which is broadcast or published by any broadcasting station, newspaper, magazine or other periodical without charge to the candidate or to any person supporting or opposing a candidate or ballot measure;

b. The internal dissemination by any membership organization, proprietorship, labor organization, corporation, association or other entity of information advocating the election or defeat of a candidate or candidates or the passage or defeat of a ballot measure or measures to its directors, officers, members, employees or security holders, provided that the cost incurred is reported pursuant to subsection 2 of section 130.051;

c. Repayment of a loan, but such repayment shall be indicated in required reports;

d. The rendering of voluntary personal services by an individual of the sort commonly performed by volunteer campaign workers and the payment by such individual of the individual's necessary and ordinary personal expenses incidental to such volunteer activity, provided no compensation is, directly or indirectly, asked or given;

e. The costs incurred by any connected organization listed pursuant to subdivision (4) of subsection 5 of section 130.021 for establishing, administering or maintaining a committee, or for the solicitation of contributions to a committee which solicitation is solely directed or related to the members, officers, directors, employees or security holders of the connected organization;

f. The use of a candidate's own money or property for expense of the candidate's personal food, lodging, travel, and payment of any fee necessary to the filing for public office, if such expense is not reimbursed to the candidate from any source;

(17) "Exploratory committees", a committee which shall be formed by an individual to receive contributions and make expenditures on behalf of this individual in determining whether or not the individual seeks elective office. Such committee shall terminate no later than December thirty-first of the year prior to the general election for the possible office;

(18) "Fund-raising event", an event such as a dinner, luncheon, reception, coffee, testimonial, rally, auction or similar affair through which contributions are solicited or received by such means as the purchase of tickets, payment of attendance fees, donations for prizes or through the purchase of goods, services or political merchandise;

(19) "In-kind contribution" or "in-kind expenditure", a contribution or expenditure in a form other than money;

(20) "Labor organization", any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work;

(21) "Loan", a transfer of money, property or anything of ascertainable monetary value in exchange for an obligation, conditional or not, to repay in whole or in part and which was contracted, used, or intended for use in an election campaign, or which was made or received by a committee or which was contracted, used, or intended to pay previously incurred campaign debts or obligations of a candidate or the debts or obligations of a committee;

(22) "Person", an individual, group of individuals, corporation, partnership, committee, proprietorship, joint venture, any department, agency, board, institution or other entity of the state or any of its political subdivisions, union, labor organization, trade or professional or business association, association, political party or any executive committee thereof, or any other club or organization however constituted or any officer or employee of such entity acting in the person's official capacity;

(23) "Political merchandise", goods such as bumper stickers, pins, hats, ties, jewelry, literature, or other items sold or distributed at a fund-raising event or to the general public for publicity or for the purpose of raising funds to be used in supporting or opposing a candidate for nomination or election or in supporting or opposing the qualification, passage or defeat of a ballot measure;

(24) "Political party", a political party which has the right under law to have the names of its candidates listed on the ballot in a general election;

(25) "Political party committee", a state, district, county, city, or area committee of a political party, as defined in section 115.603, RSMo, which may be organized as a not-for-profit corporation under Missouri law, and which committee is of continuing existence, and has the primary or incidental purpose of receiving contributions and making expenditures to influence or attempt to influence the action of voters on behalf of the political party;

(26) "Public office" or "office", any state, judicial, county, municipal, school or other district, ward, township, or other political subdivision office or any political party office which is filled by a vote of registered voters;

(27) "Regular session", includes that period beginning on the first Wednesday after the first Monday in January and ending following the first Friday after the second Monday in May;

(28) "Write-in candidate", an individual whose name is not printed on the ballot but who otherwise meets the definition of candidate in subdivision (3) of this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muschany offered **House Amendment No. 1 to House Amendment No. 2**.

**House Amendment No. 1 to House Amendment No. 2** was withdrawn.

**HCS SB 1288, as amended, with House Amendment No. 2, pending**, was laid over.

Speaker Jetton resumed the Chair.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SCS HCS HB 2023**, and has taken up and passed **CCS SCS HCS HB 2023**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS SCS HB 2224** and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS SCS HB 2224**: Senators Griesheimer, Mayer, Crowell, Shoemyer and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conference committee on **HCS SB 958** has been dissolved and the Senate has adopted **HCS SB 958** and taken up and passed **HCS SB 958**.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SS SCS HB 2224**: Representatives Schneider, Jones (117), Parson, Roorda and Hubbard

**SB 1068**: Representatives Sater, Cooper (155), Schaaf, Curls and Swinger

**HCS SB 1074**: Representatives Smith (14), Schoeller, Muschany, Burnett and Vogt

Representative Nieves resumed the Chair.

### THIRD READING OF SENATE BILL

**HCS SB 1288, as amended, with House Amendment No. 2, pending**, relating to ethics, was again taken up by Representative Cooper (120).

Representative Pratt offered **House Amendment No. 2 to House Amendment No. 2**.

*House Amendment No. 2*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 1288, Page 10, Line 9, by inserting after all of said line the following:

'and further amend said bill, Section 130.032, Page 7, Line 73, by inserting after all of said section the following:

**"Section 1. Notwithstanding the provisions of section 105.955, RSMo, beginning August 28, 2008, there shall be no term limits on the executive director of the Missouri Ethics Commission."** ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer raised points of order that **House Amendment No. 2 to House Amendment No. 2** amends previously amended material and goes beyond the scope of the amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the points of order not well taken.

On motion of Representative Pratt, **House Amendment No. 2 to House Amendment No. 2** was adopted.

Representative Muschany offered **House Amendment No. 3 to House Amendment No. 2**.

*House Amendment No. 3*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Bill No. 1288, Page 10, Line 9, by inserting after said line the following:

Further amend said bill by inserting in the proper place the following:

Further amend said bill, Section 105.459, Page 2, Line 38, by deleting the words, "**ethics commission**" and inserting in lieu thereof the words, "**commission on political finance**"; and

Further amend said bill, Page 7, Section 130.032, Line 73, by inserting after all of said line the following:

**"Section 1. Beginning August 28, 2008 the Missouri ethics commission shall be known as Missouri commission on political finance. The revisor of statutes shall change all occurrences in the statutes to reflect the name change."**; and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Bringer raised a point of order that **House Amendment No. 3 to House Amendment No. 2** goes beyond the scope of the amendment.

Representative Nieves requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

On motion of Representative Muschany, **House Amendment No. 3 to House Amendment No. 2** was adopted.

On motion of Representative Talboy, **House Amendment No. 2, as amended**, was adopted.

Representative Burnett offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Bill No. 1288, Section 130.032, Page 7, Line 73, by inserting after all of said section and line the following:

**"Section 1. The Missouri Ethics Commission shall, in those instances that reasonably require the assistance of outside legal services, employ the services of an independent attorney who is not a member of the Office of the Attorney General. This requirement shall apply to all cases involving the implementation and litigation of laws or rules under the jurisdiction of the commission.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 3** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock

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Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Fallert	Frame	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Meiners	Norr
Oxford	Page	Quinn 9	Roorda	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 017

Brown 50	Corcoran	Cunningham 86	Dougherty	El-Amin
George	Hunter	Lipke	McGhee	Nasheed
Robinson	Rucker	Sander	Sater	Spreng
Walton	Young			

VACANCIES: 002

On motion of Representative Cooper (120), **HCS SB 1288, as amended**, was adopted.

On motion of Representative Cooper (120), **HCS SB 1288, as amended**, was read the third time and passed by the following vote:

AYES: 091

Avery	Baker 123	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Guest	Haywood	Hobbs	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Lembke	Low 39
Marsh	May	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Portwood	Pratt	Quinn 7	Robb	Ruestman
Ruzicka	Salva	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Wells
Weter	Wilson 119	Wilson 130	Witte	Wright 159
Mr Speaker				

NOES: 054

Aull	Baker 25	Bland	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Corcoran
Darrough	Daus	Donnelly	Fallert	George
Grill	Grisamore	Harris 23	Harris 110	Hodges
Holsman	Hughes	Johnson	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Loehner
Lowe 44	McClanahan	Meadows	Page	Pollock
Quinn 9	Roorda	Scavuzzo	Schoemehl	Storch
Todd	Villa	Vogt	Wallace	Walsh
Wasson	Whorton	Wildberger	Wood	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

PRESENT: 004

Oxford	Richard	Rucker	Smith 14
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ABSENT WITH LEAVE: 012

Cunningham 86	Dougherty	El-Amin	Hunter	Lipke
McGhee	Robinson	Sander	Sater	Spreng
Walton	Young			

VACANCIES: 002

Representative Nieves declared the bill passed.

### **PERFECTION OF HOUSE BILL**

**HCS HBs 1736 & 2320**, relating to illegal aliens, was taken up by Representative Nolte.

Speaker Pro Tem Pratt resumed the Chair.

Representative Flook offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill Nos. 1736 & 2320, Section 208.009, Page 2, Line 3, by deleting "**1621(c)**" and inserting in lieu thereof "**1621(c)(1)(B)**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flook, **House Amendment No. 1** was adopted.

Representative Scharnhorst resumed the Chair.

Speaker Pro Tem Pratt resumed the Chair.

Representative Tilley moved the previous question.

## Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Loehner	May	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 059

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Cunningham 86	Dougherty	El-Amin	Harris 23
Hunter	Johnson	Lipke	Marsh	McGhee
Meiners	Robinson	Sander	Sater	Spreng
Walton	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Nolte, **HCS HBs 1736 & 2320, as amended**, was adopted by the following vote:

AYES: 129

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	May	McClanahan
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 014

Bland	Burnett	Chappelle-Nadal	Daus	Haywood
Hoskins	Hubbard	Hughes	Low 39	Lowe 44
Oxford	Talboy	Villa	Vogt	

PRESENT: 000

ABSENT WITH LEAVE: 018

Brown 50	Cunningham 86	Curls	El-Amin	Guest
Hunter	Johnson	Lipke	Marsh	McGhee
Robinson	Roorda	Sander	Sater	Spreng
Walton	Wright-Jones	Young		

VACANCIES: 002



On motion of Representative Nolte, **HCS HBs 1736 & 2320, as amended**, was ordered perfected and printed by the following vote:

AYES: 126

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Darrough	Davis	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Loehner	May	McClanahan	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Rucker
Ruestman	Ruzicka	Salva	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 015

Bland	Burnett	Chappelle-Nadal	Curls	Daus
Haywood	Hoskins	Hubbard	Hughes	Low 39
Lowe 44	Oxford	Talboy	Villa	Vogt

PRESENT: 000

ABSENT WITH LEAVE: 020

Brown 50	Cunningham 86	Day	El-Amin	Guest
Hunter	Johnson	Lipke	Marsh	McGhee
Moore	Robb	Robinson	Roorda	Sander
Sater	Spreng	Walton	Wright-Jones	Young

VACANCIES: 002

### THIRD READING OF SENATE BILLS

**HCS SS SCS SBs 818 & 795**, relating to harassment and stalking, was taken up by Representative Smith (14).

Representative Bringer offered **House Amendment No. 1**.

Representative Funderburk raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

**HCS SS SCS SBs 818 & 795** was laid over.

**SS SCS SB 768**, relating to autism spectrum disorders, was taken up by Representative Scharnhorst.

Speaker Jetton resumed the Chair.

On motion of Representative Scharnhorst, **SS SCS SB 768** was truly agreed to and finally passed by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cox
Cunningham 145	Curls	Darrough	Daus	Davis
Deeken	Denison	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Loehner	Low 39
Lowe 44	May	McClanahan	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Roorda	Rucker
Ruestman	Ruzicka	Salva	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

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NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 024

Brown 50	Cooper 155	Corcoran	Cunningham 86	Day
Dethrow	El-Amin	Hunter	Johnson	Lipke
Marsh	McGhee	Moore	Quinn 9	Robb
Robinson	Sander	Sater	Spreng	Talboy
Vogt	Walton	Wright-Jones	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

### **BILL IN CONFERENCE**

**CCR HCS SCS SB 724, as amended**, relating to advanced practice registered nurses, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **CCR HCS SCS SB 724, as amended**, was adopted by the following vote:

AYES: 122

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Curls	Darrough	Daus	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Loehner	Lowe 44	May	McClanahan
Meadows	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Oxford	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Roorda	Rucker	Ruestman	Ruzicka
Salva	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Villa	Wallace	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 013

Davis	Dusenberg	Guest	Harris 23	Holsman
Hughes	Kasten	Liese	Meiners	Muschany
Onder	Page	Schaaf		

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 025

Brown 50	Cooper 120	Corcoran	Cunningham 86	Day
El-Amin	Hunter	Johnson	Lipke	Low 39
Marsh	McGhee	Moore	Quinn 9	Robb
Robinson	Sander	Sater	Spreng	Talboy
Vogt	Walsh	Walton	Wright-Jones	Young

VACANCIES: 002

On motion of Representative Jones (117), **CCS HCS SCS SB 724** was truly agreed to and finally passed by the following vote:

AYES: 118

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Curls	Darrough	Daus
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Ervin	Faith	Fallert
Fares	Fisher	Frame	Franz	Funderburk
George	Grill	Grisamore	Harris 110	Hobbs
Hodges	Hubbard	Ice	Jones 89	Jones 117
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Loehner	Low 39
May	McClanahan	Meadows	Munzlinger	Nance
Nasheed	Nolte	Norr	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Roorda	Rucker	Ruestman
Ruzicka	Salva	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 013

Davis	Dusenberg	Guest	Harris 23	Holsman
Kasten	Liese	Meiners	Muschany	Onder
Page	Schaaf	Talboy		

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 029

Brown 50	Corcoran	Cunningham 86	Day	El-Amin
Flook	Haywood	Hoskins	Hughes	Hunter
Johnson	Kelly	Lipke	Lowe 44	Marsh
McGhee	Moore	Nieves	Quinn 9	Robb
Robinson	Sander	Sater	Silvey	Spreng
Vogt	Walton	Wright-Jones	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

### **THIRD READING OF SENATE BILL**

**SCS SB 1139**, relating to the Uniform Anatomical Gift Act, was taken up by Representative Stevenson.

Representative Parson offered **House Amendment No. 1**.

Representative Stevenson raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Burnett offered **House Amendment No. 2**.

Representative Cooper (120) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Donnelly offered **House Amendment No. 3**.

Representative Stevenson raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Smith (150) assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Davis
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Loehner	May	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Ruestman	Ruzicka
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 055

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Whorton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker 123	Brown 50	Corcoran	Cunningham 86	Day
El-Amin	Hunter	Johnson	Lipke	Lowe 44
Marsh	McGhee	Moore	Quinn 9	Robb
Robinson	Sander	Sater	Spreng	Vogt
Walton	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Stevenson, **SCS SB 1139** was truly agreed to and finally passed by the following vote:

AYES: 113

Aull	Avery	Bivins	Bland	Brown 30
Bruns	Burnett	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Curls	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	May	McClanahan
Meiners	Munzlinger	Nance	Nasheed	Nieves
Nolte	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Roorda	Rucker	Ruestman	Ruzicka
Salva	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Villa	Wallace	Walsh
Wasson	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 025

Baker 25	Brandom	Bringer	Casey	Daus
Fallert	Flook	Frame	George	Harris 110
Hughes	Komo	Low 39	Meadows	Muschany
Norr	Oxford	Schieffer	Schoemehl	Shively
Skaggs	Swinger	Todd	Wells	Witte

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker 123	Brown 50	Corcoran	Cunningham 86	Day
El-Amin	Hunter	Johnson	Lipke	Lowe 44
Marsh	McGhee	Moore	Quinn 9	Robb
Robinson	Sander	Sater	Spreng	Vogt
Walton	Wright-Jones	Young		

VACANCIES: 002

Representative Smith (150) declared the bill passed.

## **COMMITTEE REPORTS**

### **Special Committee on Energy and Environment**, Chairman Bivins reporting:

Mr. Speaker: Your Special Committee on Energy and Environment, to which was referred **SS SCS SB 738**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Special Committee on Utilities**, Chairman Emery reporting:

Mr. Speaker: Your Special Committee on Utilities, to which was referred **SCS SBs 1181, 1100, 1262 & 1263**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

### **Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HB 1539**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS HB 2210**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HB 2556**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 29**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SJR 45**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SB 953**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SB 976**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1040**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1107**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1172**, begs leave to report it has examined the same and recommends that it **Do Pass**.



## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2279**, entitled:

An act to repeal sections 393.275, 407.300, and 537.340, RSMo, and to enact in lieu thereof ten new sections relating to utilities, with penalty provisions.

With Senate Amendment No. 1, Senate Amendment No. 2, Senate Amendment No. 3, Senate Amendment No. 6 and Senate Amendment No. 7.

### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, Page 3, Section 393.171, Line 17, by inserting at the end of said line the following:

**"Expenses incurred by an electrical corporation in association with the payment of any such damages shall not be recoverable, in any form at any time, from the ratepayers of any such electrical corporation."**

### *Senate Amendment No. 2*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, Page 2, Section 386.572, Line 48, by inserting after all of said line the following:

**"393.108. For purposes of this section, the hot weather rule shall mean the period of time from June first to September thirtieth, in which the discontinuance of gas and electric service to all residential users, including all residential tenants of apartment buildings, for nonpayment of bills where gas or electricity is used as the source of cooling or to operate the only cooling equipment at the residence, is prohibited in the following situations:**

**(1) On any day when the National Weather Service local forecast between 6:00 a.m. and 9:00 p.m. for the following twenty-four hours predicts that the temperature shall rise above ninety-five degrees Fahrenheit or that the heat index shall rise above one hundred five degrees Fahrenheit;**

**(2) On any day when utility personnel are not available to reconnect utility service during the immediately succeeding day or days and the National Weather Service local forecast between 6:00 a.m. and 9:00 p.m. predicts that the temperature during the period of unavailability shall rise above ninety-five degrees Fahrenheit or that the heat index shall rise above one hundred five degrees Fahrenheit; and**

**(3) In any other applicable situations provided for in rules established and amended by the public service commission."; and**

Further amend the title and enacting clause accordingly.

### *Senate Amendment No. 3*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, Page 9, Section 570.056, Line 4, by inserting after all of said line the following:

**"Section 1. For any electric plant unlawfully constructed after August 28, 2008, in any suit or claim brought by any landowner or other legal entity for monetary damages allegedly caused by the operation or existence of such electric plant, the measure of damages shall be treble the fair market value of the plaintiff's real estate as determined by a judge or jury, plus court costs and reasonable attorney fees."; and**

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, Page 2, Section 386.572, Line 48, by inserting after all of said line the following:

"393.170. 1. No gas corporation, electrical corporation, water corporation or sewer corporation shall begin construction of a gas plant, electric plant, water system or sewer system without first having obtained the permission and approval of the commission.

2. No such corporation shall exercise any right or privilege under any franchise hereafter granted, or under any franchise heretofore granted but not heretofore actually exercised, or the exercise of which shall have been suspended for more than one year, without first having obtained the permission and approval of the commission. Before such certificate shall be issued a certified copy of the charter of such corporation shall be filed in the office of the commission, together with a verified statement of the president and secretary of the corporation, showing that it has received the required consent of the proper municipal authorities.

3. The commission shall have the power to grant the permission and approval herein specified whenever it shall after due hearing determine that such construction or such exercise of the right, privilege or franchise is necessary or convenient for the public service. The commission may by its order impose such condition or conditions as it may deem reasonable and necessary. Unless exercised within a period of two years from the grant thereof, authority conferred by such certificate of convenience and necessity issued by the commission shall be null and void.

**4. Prior to the application for permission and approval that is required under subsection 1 of this section, all corporations shall first confer with the city or county government where the proposed certificate is located, and if said city or county has zoning regulations, the corporation shall procure a certificate from said city or county government that shows compliance with the existing zoning requirements of said city or county and this certificate shall be presented to the commission. If there is no zoning in place for the city or county, then no certificate is required. If the certificate from the city or county is not presented to the commission prior to the beginning of construction, the commission shall not grant the permission and approval under this section."**; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, Page 4, Section 393.275, Line 28, by striking the following: "and such purchased gas" and inserting in lieu thereof a period "."; and

Further amend Lines 29-50, by striking all of said lines and inserting in lieu thereof the following:

**"3. The commission shall study the benefits and detriments of including the gas cost portion of net write-offs in purchased gas adjustment rates and submit a report of its findings to the general assembly by December 31, 2008."**

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SB 1068 with House Amendment No. 1 and House Amendment No. 3**: Senators Mayer, Engler, Lager, Shoemyer and Kennedy.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 1074, as amended**: Senators Dempsey, Rupp, Ridgeway, Shoemyer and Coleman.

Speaker Jetton resumed the Chair.

Representative Smith (150) resumed the Chair.

### **ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Friday, May 9, 2008.

### **COMMITTEE MEETINGS**

#### **CONFERENCE COMMITTEE NOTICE**

Monday, May 12, 2008, 6:00 p.m. Room 414.

Executive session may follow.

Public hearing to be held on: SS SCS HB 2224

#### **FISCAL REVIEW**

Monday, May 12, 2008, 1:00 p.m. Hearing Room 1.

Any House or Senate bill presented to this committee.

#### **FISCAL REVIEW**

Tuesday, May 13, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

#### **FISCAL REVIEW**

Wednesday, May 14, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

#### **FISCAL REVIEW**

Thursday, May 15, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

#### **FISCAL REVIEW**

Friday, May 16, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

#### **JOINT COMMITTEE ON LEGISLATIVE RESEARCH**

Monday, May 12, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports continuation.

Testimony from Attorney General's Office.

Some portions of the meeting may be closed pursuant to Section 610.021. AMENDED.

#### **SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION**

Monday, May 12, 2008, 1:00 p.m. Hearing Room 4.

Executive session.

**HOUSE CALENDAR**

SIXTY-NINTH DAY, FRIDAY, MAY 9, 2008

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 64 - Chappelle-Nadal

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt

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- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HB 1468 - Pratt
- 46 HCS HBs 1809 & 2173 - Ruzicka
- 47 HCS HB 2420 - Baker (123)
- 48 HCS HB 2421 - Meiners
- 49 HB 2555 - Pearce
- 50 HB 1484 - Muschany
- 51 HCS HB 1880 - Schaaf
- 52 HCS HB 1884 - Quinn (7)
- 53 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 54 HCS HB 2460 - Emery

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE JOINT RESOLUTION FOR THIRD READING**

SS SCS SJRs 34 & 30 - Bruns

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook

7 HCS SB 820 - Schieffer  
8 SCS SB 850 - Meiners  
9 HCS SB 856 - Fallert  
10 SB 896 - McGhee  
11 SB 928 - Schad  
12 SB 936 - Lembke  
13 HCS SB 943 - Schoeller  
14 SCS SB 951 - Spreng  
15 SB 956 - Hobbs  
16 HCS SB 978 - Pollock  
17 SB 979 - Dusenberg  
18 SB 980 - Flook  
19 SB 991 - Schlottach  
20 SB 999 - Parson  
21 HCS SB 1002 - Curls  
22 HCS SCS SB 1008 - Ervin  
23 SCS SB 1009, E.C. - Wasson  
24 SB 1016 - Pratt  
25 HCS SCS SB 1033 - Sutherland  
26 HCS SCS SB 1039 - Weter  
27 SCS SB 1044 - McGhee  
28 SB 1061 - Cooper (120)  
29 SB 1073 - Faith  
30 HCS SCS SB 1131 - Curls  
31 HCS SB 1135 - Curls  
32 SCS SB 1150 - Lembke  
33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock  
34 SCS SB 1168 - Scharnhorst  
35 SB 1177 - Cooper (155)  
36 SB 1187 - Pollock  
37 SB 1190 - Wasson  
38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

1 HCS SCS SB 942 - Quinn (7)  
2 HCS SB 1010 - Stevenson  
3 HCS SB 932 - Grisamore  
4 SB 955 - Wildberger  
5 SB 970 - May  
6 HCS SB 1175 - Cox  
7 HCS SS SCS SB 711 - Sutherland  
8 SCS SB 901 - Hunter  
9 SB 1038 - Cox  
10 SB 885 - Cooper (120)  
11 SS SCS SB 1059 - Pearce  
12 SCS SB 1157, E.C. - Walsh

- 13 HCS SCS SBs 1034 & 802, E.C. - Kraus
- 14 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 15 HCS SS SCS SBs 818 & 795 - Smith (14)
- 16 HCS SCS SB 720, (Fiscal Review 5-06-08) - Smith (150)
- 17 HCS SCS SBs 754 & 794 - Lipke
- 18 HCS SCS SB 765, E.C. - Schneider
- 19 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)
- 20 SCS SB 873 - Pratt
- 21 HCS SCS SBs 930 & 947 - St. Onge
- 22 SS SB 1159 - Pratt
- 23 HCS SCS SB 1209, E.C. - Sutherland
- 24 HCS SB 925 - Aull
- 25 HCS SCS SB 994, E.C. - Wallace

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS HB 1678, as amended - Day
- 2 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 3 SCS HCS HB 2034, as amended - Munzlinger
- 4 SS SCS HB 1384 & HB 2157 - Cox
- 5 SS SCS HCR 30, (5-06-08, Pages 1347-1348) - Emery

#### **BILLS IN CONFERENCE**

- 1 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 2 CCR HCS SB 841, as amended - St. Onge
- 3 HCS SB 958 - Schad
- 4 SB 1068, HA 1, HA 3 - Sater
- 5 HCS SB 1074, as amended - Smith (14)
- 6 SS SCS HB 2224 - Jones (117)

#### **SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 31, (4-24-08, Page 1164) - Loehner

#### **HOUSE RESOLUTION**

- HR 185, (4-30-08, Page 1248) - Jones (117)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SIXTY-NINTH DAY, FRIDAY, MAY 9, 2008

The House met pursuant to adjournment.

Representative Ruestman in the Chair.

Prayer by Chris Dunn, Public Information Specialist, House Communications.

Heavenly Father,

Thank You for the love and kindness that You show us each day. We are grateful for the joy in our hearts and the privilege it is to work in this building.

This morning, I pray for all of us who work in the Legislature. *James 1:19-20* cautions us that "...Everyone should be quick to listen, slow to speak and slow to become angry, because our anger does not produce the righteousness that God desires." Help us all, legislators and staff, to be quick to listen, slow to speak and patient beyond our normal capacity. We need Your help to do so.

We thank You for the fine Session thus far, and ask that You would sustain us all as we work the long hours, with little sleep, that the final week of Session requires. We pray that Your will is done on behalf of the people of Missouri.

Your name is worthy and in Your name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Jonathan Schaefer and Justin Schaefer.

## REFERRAL OF HOUSE BILL

The following House Bill was referred to the Committee indicated:

**HCS HBs 1736 & 2320** - Fiscal Review (Fiscal Note)

## REFERRAL OF SENATE CONCURRENT RESOLUTION

The following Senate Concurrent Resolution was referred to the Committee indicated:

**SCR 35** - Agriculture Policy



## **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SCS SB 732** - Fiscal Review (Fiscal Note)

**HCS#2 SB 976** - Fiscal Review (Fiscal Note)

**SS#2 SCS SBs 747 & 736** - Crime Prevention and Public Safety

**SCS SB 865** - Special Committee on Financial Institutions

## **COMMITTEE REPORT**

**Special Committee on Rural Community Development**, Chairman Wilson (119) reporting:

Mr. Speaker: Your Special Committee on Rural Community Development, to which was referred **SCS SB 1170**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

The following members' presence was noted: Avery, Bland, Brandom, Bringer, Casey, Chappelle-Nadal, Cooper (120), Cunningham (145), Curls, Deeken, Denison, Dougherty, Emery, Faith, Flook, Frame, George, Hodges, Hubbard, Jetton, Kasten, Komo, Kratky, Kraus, Kuessner, Lampe, LeVota, Loehner, Low (39), Lowe (44), McClanahan, McGhee, Meadows, Moore, Munzlinger, Nasheed, Nieves, Norr, Portwood, Quinn (9), Roorda, Rucker, Ruzicka, Scharnhorst, Schieffer, Schoemehl, Smith (14), Sutherland, Swinger, Talboy, Thomson, Tilley, Todd, Vogt, Wells, Weter, Whorton, Witte, Wood, Wright, Yaeger, Yates and Zimmerman.

## **ADJOURNMENT**

On motion of Representative Ruestman, the House adjourned until 2:00 p.m., Monday, May 12, 2008.

## **COMMITTEE MEETINGS**

### **CONFERENCE COMMITTEE NOTICE**

Monday, May 12, 2008, 6:00 p.m. Room 414.

Executive session may follow.

Public hearing to be held on: SS SCS HB 2224

### **FISCAL REVIEW**

Monday, May 12, 2008, 1:00 p.m. Hearing Room 1.

Any bills presented to this committee.

### **FISCAL REVIEW**

Tuesday, May 13, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

FISCAL REVIEW

Wednesday, May 14, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

FISCAL REVIEW

Thursday, May 15, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

FISCAL REVIEW

Friday, May 16, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

JOINT COMMITTEE ON LEGISLATIVE RESEARCH

Monday, May 12, 2008, 12:00 p.m. Hearing Room 6.

Second Injury Fund reports continuation.

Testimony from Attorney General's Office.

Some portions of the meeting may be closed pursuant to Section 610.021. AMENDED.

RULES - PURSUANT TO RULE 25(21)(f)

Monday, May 12, 2008, 1:30 p.m. Hearing Room 5.

Executive session may follow. AMENDED

Public hearings to be held on: HCS SS SCS SBs 858,750, 751, 927, 1186, 1255, 1268 & 1269, HCS#2 SCS SB 781, HCS SCS SBs 1181, 1100, 1262 & 1263, HCS SCS SB 1170, SB 805

SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, May 13, 2008, Hearing Room 6 upon morning recess.

Executive session. AMENDED.

SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Monday, May 12, 2008, 12:00 p.m. Hearing Room 4.

Executive session.

**HOUSE CALENDAR**

SEVENTIETH DAY, MONDAY, MAY 12, 2008

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 64 - Chappelle-Nadal

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - Levota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom

- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HB 1468 - Pratt
- 46 HCS HBs 1809 & 2173 - Ruzicka
- 47 HCS HB 2420 - Baker (123)
- 48 HCS HB 2421 - Meiners
- 49 HB 2555 - Pearce
- 50 HB 1484 - Muschany
- 51 HCS HB 1880 - Schaaf
- 52 HCS HB 1884 - Quinn (7)
- 53 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 54 HCS HB 2460 - Emery
- 55 HCS HB 2210 - Jones (89)
- 56 HB 2556 - Hubbard

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany
- 4 HCS HBs 1736 & 2320, (Fiscal Review 5-09-08) - Nolte

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

#### **SENATE JOINT RESOLUTIONS FOR THIRD READING**

- 1 SS SCS SJRs 34 & 30 - Bruns
- 2 SJR 45 - Hobbs

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger
- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 HCS SS SCS SB 711 - Sutherland
- 8 SCS SB 901 - Hunter
- 9 SB 1038 - Cox
- 10 SB 885 - Cooper (120)
- 11 SS SCS SB 1059 - Pearce
- 12 SCS SB 1157, E.C. - Walsh
- 13 HCS SCS SBs 1034 & 802, E.C. - Kraus
- 14 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 15 HCS SS SCS SBs 818 & 795 - Smith (14)
- 16 HCS SCS SB 720, (Fiscal Review 5-06-08) - Smith (150)
- 17 HCS SCS SBs 754 & 794 - Lipke
- 18 HCS SCS SB 765, E.C. - Schneider
- 19 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)
- 20 SCS SB 873 - Pratt
- 21 HCS SCS SBs 930 & 947 - St. Onge
- 22 SS SB 1159 - Pratt
- 23 HCS SCS SB 1209, E.C. - Sutherland
- 24 HCS SB 925 - Aull
- 25 HCS SCS SB 994, E.C. - Wallace
- 26 HCS SCS SB 732, (Fiscal Review 5-09-08) - Jones (117)
- 27 HCS SB 953 - Stevenson
- 28 HCS#2 SB 976, (Fiscal Review 5-09-08), E.C. - Stevenson
- 29 SCS SB 1040 - Hobbs
- 30 HCS SCS SB 1081, E.C. - Cooper (155)
- 31 SCS SB 1107, E.C. - Pollock
- 32 HCS SCS SB 1172 - Bruns

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS HB 1678, as amended - Day
- 2 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 3 SCS HCS HB 2034, as amended - Munzlinger
- 4 SS SCS HB 1384 & HB 2157 - Cox
- 5 SS SCS HCR 30, (5-06-08, Pages 1347-1348) - Emery
- 6 SCS HCS HB 1715, as amended, E.C. - Schad
- 7 SCS HCS HB 2279, as amended - Wright

**BILLS IN CONFERENCE**

- 1 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 2 CCR HCS SB 841, as amended - St. Onge
- 3 HCS SB 958 - Schad
- 4 SB 1068, HA 1, HA 3 - Sater
- 5 HCS SB 1074, as amended - Smith (14)
- 6 SS SCS HB 2224 - Jones (117)

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 31, (4-24-08, Page 1164) - Loehner

**HOUSE RESOLUTION**

HR 185, (4-30-08, Page 1248) - Jones (117)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTIETH DAY, MONDAY, MAY 12, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Lord God, our well-being and our honor depend on You. You are our stability, our safe haven. Great are You Lord and mighty in power; Your understanding has no limit.

Lord God, You who cause the rains to fall in season, the sun to rise and set on schedule, the stars to hang majestically in the heavens, and life to exist in all its beauty; surely You can penetrate our hearts and minds with the wisdom to break the confusion and futility that threatens to intensify the stress of our final days in session.

Fill us with the knowledge of Your will; with all the wisdom and understanding that Your Spirit gives. Enable us to live as You would want and do what pleases You. May our lives produce what is good and agreeable in Your sight: Growing in our understanding of Your design for our lives.

Now may Your grace and mercy abide with us throughout this week.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Abigail Lee Ordway.

The Journal of the sixty-eighth day was approved as printed by the following vote:

AYES: 118

Aull	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hoskins	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	Loehner
Marsh	May	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood



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Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Ruzicka	Salva	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Wasson	Wells	Weter	Wildberger
Wilson 119	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 008

Bringer	Daus	Dethrow	George	Johnson
LeVota	Talboy	Witte		

PRESENT: 005

Darrough	Hughes	Liese	Skaggs	Whorton
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ABSENT WITH LEAVE: 030

Avery	Bland	Brown 50	Cooper 155	Corcoran
Dougherty	El-Amin	Fisher	Harris 23	Haywood
Holsman	Hubbard	Hunter	Kraus	Lipke
Low 39	Lowe 44	McClanahan	Meiners	Rucker
Ruestman	Sander	Spreng	Viebrock	Vogt
Walsh	Walton	Wilson 130	Wright-Jones	Young

VACANCIES: 002

The Journal of the sixty-ninth day was approved as printed by the following vote:

AYES: 121

Aull	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Hoskins	Hughes
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Robinson	Roorda	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Villa	Wallace	Wasson	Wells

Weter  
Wright 159  
Mr Speaker

Whorton  
Yaeger

Wildberger  
Yates

Wilson 119  
Zimmerman

Wood  
Zweifel

NOES: 010

Bringer  
Low 39

Daus  
Quinn 9

Dethrow  
Skaggs

George  
Talboy

Johnson  
Witte

PRESENT: 002

Darrough

Liese

ABSENT WITH LEAVE: 028

Avery  
Corcoran  
Hubbard  
McClanahan  
Spreng  
Wilson 130

Bland  
El-Amin  
Hunter  
Nasheed  
Viebrock  
Wright-Jones

Brown 50  
Harris 23  
Kraus  
Rucker  
Vogt  
Young

Burnett  
Haywood  
Lipke  
Ruestman  
Walsh

Cooper 155  
Holsman  
Lowe 44  
Sander  
Walton

VACANCIES: 002

## HOUSE RESOLUTION

Representative Lembke, et al., offered House Resolution No. 2986.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2924 through House Resolution No. 2985

## COMMITTEE REPORT

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SB 720** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

## HOUSE BILL WITH SENATE AMENDMENT

**SCS HCS HB 2279, as amended**, relating to utility regulation and scrap metal, was taken up by Representative Wright.

Representative Wright moved that the House refuse to adopt **SCS HCS HB 2279, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference and that the House conferees be allowed to exceed the differences with regard to gas penalties and tree trimming provisions that have been truly agreed and will be removed from the bill.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 720**, relating to utility regulation and scrap metal, was taken up by Representative Smith (150).

Representative Meadows offered **House Amendment No. 1**.

Representative Emery raised a point of order that **House Amendment No. 1** goes beyond the scope of the bill.

**House Amendment No. 1** was withdrawn.

Representative Emery offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, Page 3, Section 393.171, Lines 1 to 9, by deleting all of said lines and inserting in lieu thereof the following:

**"393.171. 1. The commission shall have the authority to grant the permission and approval specified in section 393.170, after the construction or acquisition of any electric plant located in a first class county without a charter form of government has been completed if the commission determines that the grant of such permission and approval is necessary or convenient for the public service. Any such permission and approval shall, for all purposes, have the same effect as the permission and approval granted prior to such construction or acquisition. This subsection is enacted to clarify and specify the law in existence at all times since the original enactment of section 393.170.**

**2. No permission or approval granted for an electric plant by the commission under subsection 1 of this section, nor any special use permit issued for any such electric plant by the governing body of the county in which the electric plant is located, shall extinguish, render moot, or mitigate any suit or claim pending or otherwise allowable by law by any landowner or other legal entity for monetary damages allegedly caused by the operation or existence of such electric plant.**

**3. The commission's authority under subsection 1 of this section shall expire on August 28, 2009.";** and

Further amend said bill, Pages 3 and 4, Section 393.275, Lines 1 to 25, by deleting all of said lines and inserting in lieu thereof the following:

**"393.275. 1. The commission shall notify the governing body of each city or county imposing a business license tax pursuant to section 66.300, 92.045, 94.110, 94.270 or 94.360, RSMo, or a similar tax adopted pursuant to charter provisions in any constitutional charter city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, on gross receipts of any gas corporation, electric corporation, water corporation or sewer corporation of any tariff increases authorized for such firm doing business in that city or county if the approved increase exceeds seven percent. The commission shall include with such notice to any city or county the percentage increase approved for the utility, together with an estimate of the annual increase in gross receipts resulting from the tariff increase on customers residing in that city or county. The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission.**

**2. The governing body of each city or county notified of a tariff increase as provided in subsection 1 of this section shall reduce the tax rate of its business license tax on the gross receipts of utility corporations. Within sixty days of the effective date of the tariff increase, the tax rate shall be reduced to the extent necessary so that revenue for the ensuing twelve months will be approximately equal to the revenue received during the preceding twelve months plus a growth factor. The growth factor shall be equal to the average of the additional revenue received in each of the preceding three years. However, a city or county may maintain the tax rate of its business license tax on the gross receipts of utility corporations without reduction if an ordinance to maintain the tax rate is enacted by the governing body of the city or an order to maintain the tax rate is issued by the governing body of the county after September 28, 1985.**

The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission **and such purchased gas adjustment rates shall include the gas cost portion of net write-offs incurred by the gas corporation in providing service to system sales customers upon the filing and approval of new rate schedules applicable to such customers. Such rate schedules shall be designed to simultaneously decrease the gas corporation's base rates and increase its purchased gas adjustment rates by like amounts so as to reasonably ensure that the gas cost portion of the net write-offs applicable to such customers, as such portion is determined by the commission, is only being recovered once through the gas corporation's purchased gas adjustment rates. Increases and decreases in the gas cost portion of net write-offs shall thereafter be reflected in the gas corporation's purchased gas adjustment rates pursuant to tariff provisions approved by the commission provided, however, that such tariff provisions shall:**

- (1) Limit increases or decreases in the gas cost portion of net write-offs as reflected in purchased gas adjustment rates to once each year;**
- (2) Require a true-up of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year; and**
- (3) Require commission review of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year to insure that the gas corporation is prudently pursuing collection of amounts owed by its customers."; and**

Further amend said bill, Section 394.320, Page 4, by removing all of said section from the bill; and

Further amend said bill, Pages 4 and 5, Section 407.300, Lines 1 to 31, by deleting all of said lines and inserting in lieu thereof the following:

"407.300. 1. Every **purchaser or** collector of, or dealer in, junk, **scrap metal**, or any secondhand property shall keep a register [which shall contain the name and address of the person from whom] **containing a written or electronic record for each purchase or trade in which each type of metal subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving any:**

- (1) Copper, brass, or bronze;**
- (2) Aluminum wire [or is purchased,], cable, pipe, tubing, bar, ingot, rod, fitting, or fastener; or**
- (3) Material containing copper or aluminum that is knowingly used for farming purposes as "farming" is defined in section 350.010, RSMo;**

whatever may be the condition or length of such [copper wire or cable] **metal. The record shall contain the following data: A copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained, which shall contain a current address of the person from whom the material is obtained; [the residence or place of business and driver's license number of such person;] and the date, time, and place of and a full description of each such purchase or trade including the quantity by weight thereof; and shall permit any peace officer to inspect the register at any reasonable time].**

**2. The records required under this section shall be maintained for a minimum of twenty-four months from when such material is obtained and shall be available for inspection by any law enforcement officer.**

**3. Anyone convicted of violating this section shall be [fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned for not less than thirty days nor more than six months, or both] guilty of a class A misdemeanor.**

**4. This section shall not apply to any of the following transactions:**

- (1) Any transaction for which the total amount paid for all regulated scrap metal purchased or sold does not exceed fifty dollars;**
- (2) Any transaction for which the seller, including a farm or farmer, has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business; or**
- (3) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for equipment used in the generation and transmission of electrical power or telecommunications."; and**

Further amend said bill, Page 5, Section 407.301, Lines 1 to 9, by deleting all of said lines and inserting in lieu thereof the following:

**"407.301. 1. No scrap metal dealer shall knowingly purchase or possess a metal beer keg, whether damaged or undamaged, or any reasonably recognizable part thereof, on any premises that the dealer uses to buy, sell, store, shred, melt, cut, or otherwise alter scrap metal except when the purchase is from the brewer or its authorized representative. For purposes of this section, "keg" shall have the same meaning as in section 311.082, RSMo.**

**2. Anyone who is found guilty of, or pleads guilty to, violating this section shall be guilty of a class A misdemeanor punishable only by fine. Nothing in this section shall be construed to preclude a person violating this section from also being prosecuted for any applicable criminal offense."; and**

Further amend said bill, Page 5, Section 407.302, Lines 1 to 10, by deleting all of said lines and inserting in lieu thereof the following:

**"407.302. 1. No scrap yard shall purchase any metal that can be identified as belonging to a public or private cemetery or to a political subdivision or electrical cooperative, municipal utility, or a utility regulated under chapter 386 or 393, RSMo, including bleachers, guardrails, signs, street and traffic lights or signals, and manhole cover or covers, whether broken or unbroken, from anyone other than the cemetery or monument owner, political subdivision, electrical cooperative or utility, or manufacturer of the metal or item described in this section unless such person is authorized in writing by the cemetery or monument owner, political subdivision, electrical cooperative or utility, or manufacturer to sell the metal.**

**2. Anyone convicted of violating this section shall be guilty of a class B misdemeanor."; and**

Further amend said bill, Page 6, Section 407.303, Lines 1 to 8, by deleting all of said lines and inserting in lieu thereof the following:

**"407.303. 1. Any scrap metal dealer paying out an amount that is five hundred dollars or more shall make such payment in the form of a check or shall pay by any method in which a financial institution makes and retains a record of the transaction.**

**2. This section shall not apply to any transaction for which the seller has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business."; and**

Further amend said bill, Pages 6 to 8, Section 537.340, Lines 1 to 68, by deleting all of said lines and inserting in lieu thereof the following:

**"537.340. 1. If any person shall cut down, injure or destroy or carry away any tree placed or growing for use, shade or ornament, or any timber, rails or wood standing, being or growing on the land of any other person, including any governmental entity, or shall dig up, quarry or carry away any stones, ore or mineral, gravel, clay or mold, or any ice or other substance or material being a part of the realty, or any roots, fruits or plants, or cut down or carry away grass, grain, corn, flax or hemp in which such person has no interest or right, standing, lying or being on land not such person's own, or shall knowingly break the glass or any part of it in any building not such person's own, the person so offending shall pay to the party injured treble the value of the things so injured, broken, destroyed or carried away, with costs. Any person filing a claim for damages pursuant to this section need not prove negligence or intent.**

**2. Notwithstanding the provisions of subsection 1 of this section, the following rules shall apply to the trimming, removing, and controlling of trees and other vegetation by any electric supplier:**

**(1) Every electric supplier that operates electric transmission or distribution lines shall have the authority to maintain the same by trimming, removing, and controlling trees and other vegetation posing a hazard to the continued safe and reliable operation thereof;**

**(2) An electric supplier may exercise its authority under subdivision (1) of this subsection if the trees and other vegetation are within the legal description of any recorded easement, or in the absence of a recorded easement, the following:**

(a) Within ten feet, plus one-half the length of any attached cross arm, of either side of the centerline of electricity lines potentially energized at or below 34.5 kilovolts measured line to line and located within the limits of any city; or

(b) Within thirty feet of either side of the centerline of electricity lines potentially energized at or below 34.5 kilovolts measured line to line and located outside the limits of any city; or

(c) Within fifty feet of either side of the centerline of electricity lines potentially energized between 34.5 and one hundred kilovolts measured line to line; or

(d) Within the greater of the following for any electricity lines potentially energized at one hundred kilovolts or more measured line to line:

a. Seventy-five feet to either side of the centerline; or

b. Any required clearance distance adopted by either the Federal Energy Regulatory Commission or an Electric Reliability Organization authorized by the Energy Policy Act of 2005, 16 U.S.C. Section 824o. Such exercise shall be considered reasonable and necessary for the proper and reliable operation of electric service and shall create a rebuttable presumption, in claims for property damage, that the electric supplier acted with reasonable care, operated within its rights regarding the operation and maintenance of its electricity lines, and has not committed a trespass;

(3) An electric supplier may trim, remove, and control trees and other vegetation outside the provisions in subdivision (2) of this subsection if such actions are necessary to maintain the continued safe and reliable operation of its electric lines;

(4) An electric supplier may secure from the owner or occupier of land greater authority to trim, remove, and control trees and other vegetation than the provisions set forth in subdivision (2) of this subsection and may exercise any and all rights regarding the trimming, removing, and controlling of trees and other vegetation granted in any easement held by the electric supplier;

(5) An electric supplier may trim or remove any tree of sufficient height outside the provisions of subdivision (2) of this subsection when such tree, if it were to fall, would threaten the integrity and safety of any electric transmission or distribution line and would pose a hazard to the continued safe and reliable operation thereof;

(6) Prior to the removal of any tree under the provisions of subdivision (5) of this subsection, an electric supplier shall notify the owner or occupier of land, if available, at least fourteen days prior to such removal, unless either the electric supplier deems the removal to be immediately necessary to continue the safe and reliable operation of its electricity lines, or the electric supplier is trimming or removing trees and other vegetation following a major weather event or other emergency situation;

(7) If any tree which is partially trimmed by an electric supplier dies within three months as a result of such trimming, the owner or occupier of land upon which the tree was trimmed may request in writing that the electric supplier remove such tree at the electric supplier's expense. The electric supplier shall respond to such request within ninety days;

(8) Nothing in this subsection shall be interpreted as requiring any electric supplier to fully exercise the authorities granted in this subsection.

3. For purposes of this section, the term "electric supplier" means any rural cooperative that is subject to the provisions of chapter 394, RSMo, and any electric corporation which is required by its bylaws to operate on the not-for-profit cooperative business plan, with its consumers who receive service as the stockholders of such corporation and that holds a certificate of public convenience and necessity to serve a majority of its customer-owners in counties of the third classification as of August 28, 2003."; and

Further amend said bill, Page 8, Section 660.135, Lines 1 through 6, by deleting all of said lines and inserting in lieu thereof the following:

"660.135. 1. **The utilicare stabilization fund for any fiscal year shall be funded, subject to appropriations, by the general assembly.** [Not more than five million dollars from state general revenue shall be appropriated by the general assembly to the utilicare stabilization fund established pursuant to section 660.136 for the support of the utilicare program established by sections 660.100 to 660.136 for any fiscal year, except in succeeding years the amount of state funds may be increased by a percentage which reflects the national cost-of-living index or seven percent, whichever is lower.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pollock offered **House Amendment No. 1 to House Amendment No. 2**.

Representative Skaggs raised a point of order that **House Amendment No. 1 to House Amendment No. 2** is not a true amendment to the amendment.

**House Amendment No. 1 to House Amendment No. 2** was withdrawn.

Representative Schad offered **House Substitute Amendment No. 1 for House Amendment No. 2**.

Representative Bringer raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 2** is in violation of Rule 46(a).

The Chair ruled the point of order well taken.

Representative Stevenson offered **House Amendment No. 2 to House Amendment No. 2**.

Representative Skaggs raised a point of order that **House Amendment No. 2 to House Amendment No. 2** is not a true amendment to the amendment.

The Chair ruled the point of order well taken.

On motion of Representative Emery, **House Amendment No. 2** was adopted by the following vote:

AYES: 088

Bivins	Brandom	Brown 50	Bruns	Cooper 120
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Faith	Fares	Fisher	Flook
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kingery
Kratky	Kraus	Lampe	Lembke	Liese
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Onder	Parkinson
Parson	Portwood	Pratt	Richard	Robb
Ruzicka	Salva	Sater	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Wasson	Weter	Wildberger	Wilson 119	Wood
Wright 159	Yates	Mr Speaker		

NOES: 053

Aull	Baker 25	Baker 123	Bringer	Brown 30
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Denison	Donnelly	Ervin
Fallert	Frame	Franz	George	Grill

Harris 23	Harris 110	Hodges	Holsman	Hoskins
Johnson	Kelly	Komo	Kuessner	LeVota
Low 39	Lowe 44	McClanahan	Norr	Oxford
Page	Pearce	Pollock	Quinn 9	Roorda
Scavuzzo	Schoemehl	Shively	Skaggs	Storch
Talboy	Villa	Walton	Wells	Whorton
Witte	Yaeger	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Bland	Cooper 155	El-Amin	Haywood
Hubbard	Hughes	Lipke	Quinn 7	Robinson
Rucker	Ruestman	Sander	Spreng	Vogt
Walsh	Wilson 130	Wright-Jones	Young	Zimmerman

VACANCIES: 002

Representative Chappelle-Nadal offered **House Amendment No. 3**.

Representative Schoeller raised a point of order that **House Amendment No. 3** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Bringer offered **House Amendment No. 4**.

Representative Kraus raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

**HCS SCS SB 720, as amended**, was placed on the Informal Calendar.

**HCS SCS SBs 1034 & 802**, relating to metal theft, was taken up by Representative Kraus.

On motion of Representative Kraus, **HCS SCS SBs 1034 & 802** was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Johnson	Jones 117



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Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Ruzicka	Salva	Sater
Scavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Witte	Wood	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Lowe 44

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	Cooper 155	El-Amin	Haywood	Hunter
Jones 89	Robinson	Rucker	Ruestman	Sander
Schad	Schneider	Spreng	Walsh	Wilson 130
Wright 159	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Kraus, **HCS SCS SBs 1034 & 802** was read the third time and passed by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hodges	Hoskins	Hubbard
Hughes	Ice	Johnson	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt

Quinn 7	Quinn 9	Richard	Robb	Roorda
Ruzicka	Salva	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Lowe 44

PRESENT: 000

ABSENT WITH LEAVE: 018

Bland	El-Amin	Haywood	Hobbs	Holsman
Hunter	Jones 89	Nance	Robinson	Rucker
Ruestman	Sander	Schneider	Spreng	Walsh
Wilson 130	Wright-Jones	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was defeated by the following vote:

AYES: 059

Avery	Baker 25	Brandom	Brown 30	Cunningham 145
Cunningham 86	Daus	Dougherty	Faith	Fallert
Fares	Fisher	Flook	Frame	Funderburk
Grill	Guest	Harris 23	Hodges	Hubbard
Jones 89	Kasten	Kingery	Kratky	LeVota
McGhee	Meadows	Meiners	Muschany	Nance
Onder	Oxford	Page	Parkinson	Portwood
Pratt	Roorda	Schaaf	Scharnhorst	Schieffer
Schoeller	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Todd
Viebrock	Wallace	Weter	Whorton	Wildberger
Wood	Wright 159	Yates	Mr Speaker	

NOES: 085

Aull	Baker 123	Bivins	Bringer	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Franz	George	Grisamore	Harris 110	Holsman
Hoskins	Hughes	Ice	Johnson	Jones 117
Kelly	Komo	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Low 39

Lowe 44	Marsh	May	McClanahan	Moore
Munzlinger	Nasheed	Nieves	Nolte	Norr
Parson	Pearce	Quinn 7	Quinn 9	Richard
Robb	Ruzicka	Sater	Scavuzzo	Schad
Schlottach	Schoemehl	Self	Shively	Silvey
Storch	Talboy	Thomson	Threlkeld	Tilley
Villa	Vogt	Walton	Wasson	Wells
Wilson 119	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	El-Amin	Haywood	Hobbs	Hunter
Pollock	Robinson	Rucker	Ruestman	Salva
Sander	Schneider	Spreng	Walsh	Wilson 130
Wright-Jones	Young			

VACANCIES: 002

**HCS SCS SBs 930 & 947**, relating to transportation, was taken up by Representative St. Onge.

Representative St. Onge offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 15, Section 301.130, Line 107, by inserting after all of said line the following:

- "302.010. Except where otherwise provided, when used in this chapter, the following words and phrases mean:
- (1) "Circuit court", each circuit court in the state;
  - (2) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than fifteen passengers;
  - (3) "Conviction", any final conviction; also a forfeiture of bail or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, shall be equivalent to a conviction, except that when any conviction as a result of which points are assessed pursuant to section 302.302 is appealed, the term "conviction" means the original judgment of conviction for the purpose of determining the assessment of points, and the date of final judgment affirming the conviction shall be the date determining the beginning of any license suspension or revocation pursuant to section 302.304;
  - (4) "Director", the director of revenue acting directly or through the director's authorized officers and agents;
  - (5) "Farm tractor", every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry;
  - (6) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways, or alleys in any municipality;
  - (7) "Incompetent to drive a motor vehicle", a person who has become physically incapable of meeting the prescribed requirements of an examination for an operator's license, or who has been adjudged by a probate division of the circuit court in a capacity hearing of being incapacitated;
  - (8) "License", a license issued by a state to a person which authorizes a person to operate a motor vehicle;
  - (9) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks except motorized bicycles, as defined in section 307.180, RSMo;
  - (10) "Motorcycle", a motor vehicle operated on two wheels; however, this definition shall not include motorized bicycles as defined in section 301.010, RSMo;
  - (11) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle operated with any conveyance, temporary or otherwise, requiring the use of a third wheel;

(12) "Moving violation", that character of traffic violation where at the time of violation the motor vehicle involved is in motion, except that the term does not include the driving of a motor vehicle without a valid motor vehicle registration license, or violations of sections 304.170 to 304.240, RSMo, inclusive, relating to sizes and weights of vehicles;

(13) "Municipal court", every division of the circuit court having original jurisdiction to try persons for violations of city ordinances;

(14) "Nonresident", every person who is not a resident of this state;

(15) "Operator", every person who is in actual physical control of a motor vehicle upon a highway;

(16) "Owner", a person who holds the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of sections 302.010 to 302.540;

(17) "Record" includes, but is not limited to, papers, documents, facsimile information, microphotographic process, electronically generated or electronically recorded information, digitized images, deposited or filed with the department of revenue;

(18) "Residence address", "residence", or "resident address" shall be the location at which a person has been physically present, and that the person regards as home. A residence address is a person's true, fixed, principal, and permanent home, to which a person intends to return and remain, even though currently residing elsewhere;

(19) "Restricted driving privilege", a driving privilege issued by the director of revenue following a suspension of driving privileges for the limited purpose of driving in connection with the driver's business, occupation, employment, formal program of secondary, postsecondary or higher education, or for an alcohol education or treatment program **or certified ignition interlock provider**;

(20) "School bus", when used in sections 302.010 to 302.540, means any motor vehicle, either publicly or privately owned, used to transport students to and from school, or to transport pupils properly chaperoned to and from any place within the state for educational purposes. The term "school bus" shall not include a bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interstate transportation of passengers when such bus is not traveling a specific school bus route but is:

(a) On a regularly scheduled route for the transportation of fare-paying passengers; or

(b) Furnishing charter service for the transportation of persons enrolled as students on field trips or other special trips or in connection with other special events;

(21) "School bus operator", an operator who operates a school bus as defined in subdivision (20) of this section in the transportation of any schoolchildren and who receives compensation for such service. The term "school bus operator" shall not include any person who transports schoolchildren as an incident to employment with a school or school district, such as a teacher, coach, administrator, secretary, school nurse, or janitor unless such person is under contract with or employed by a school or school district as a school bus operator;

(22) "Signature", any method determined by the director of revenue for the signing, subscribing or verifying of a record, report, application, driver's license, or other related document that shall have the same validity and consequences as the actual signing by the person providing the record, report, application, driver's license or related document;

(23) "Substance abuse traffic offender program", a program certified by the division of alcohol and drug abuse of the department of mental health to provide education or rehabilitation services pursuant to a professional assessment screening to identify the individual needs of the person who has been referred to the program as the result of an alcohol- or drug-related traffic offense. Successful completion of such a program includes participation in any education or rehabilitation program required to meet the needs identified in the assessment screening. The assignment recommendations based upon such assessment shall be subject to judicial review as provided in subsection [13] 14 of section 302.304 and subsections 1 and 5 of section 302.540;

(24) "Vehicle", any mechanical device on wheels, designed primarily for use, or used on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons."; and

Further amend said bill, Page 15, Section 302.060, Line 1, by inserting before the word "The", the following: "1."; and

Further amend said bill, Page 17, Section 302.060, Line 58, by inserting after all of said line the following:

**"2. Any person whose license is reinstated under the provisions of subdivisions (9) and (10) of subsection 1 of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be suspended for the remainder of the six-month period or until proof as required by this section is filed with the director. Upon the completion of the six-month period, the license shall be shown as reinstated, if the person is otherwise eligible.";** and

Further amend said bill, Page 23, Section 302.177, Line 56, by inserting after all of said line the following:

"302.304. 1. The director shall notify by ordinary mail any operator of the point value charged against the operator's record when the record shows four or more points have been accumulated in a twelve-month period.

2. In an action to suspend or revoke a license or driving privilege under this section points shall be accumulated on the date of conviction. No case file of any conviction for a driving violation for which points may be assessed pursuant to section 302.302 may be closed until such time as a copy of the record of such conviction is forwarded to the department of revenue.

3. The director shall suspend the license and driving privileges of any person whose driving record shows the driver has accumulated eight points in eighteen months.

4. The license and driving privilege of any person whose license and driving privilege have been suspended under the provisions of sections 302.010 to 302.540 except those persons whose license and driving privilege have been suspended under the provisions of subdivision (8) of subsection 1 of section 302.302 or has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 and who has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, RSMo, and is otherwise eligible, shall be reinstated as follows:

- (1) In the case of an initial suspension, thirty days after the effective date of the suspension;
- (2) In the case of a second suspension, sixty days after the effective date of the suspension;
- (3) In the case of the third and subsequent suspensions, ninety days after the effective date of the suspension.

Unless proof of financial responsibility is filed with the department of revenue, a suspension shall continue in effect for two years from its effective date.

5. The period of suspension of the driver's license and driving privilege of any person under the provisions of subdivision (8) of subsection 1 of section 302.302 or who has accumulated sufficient points together with a conviction under subdivision (10) of subsection 1 of section 302.302 shall be thirty days, followed by a sixty-day period of restricted driving privilege as defined in section 302.010. Upon completion of such period of restricted driving privilege, upon compliance with other requirements of law and upon filing of proof of financial responsibility with the department of revenue, in accordance with chapter 303, RSMo, the license and driving privilege shall be reinstated.

6. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, RSMo, the person's driving privilege and license shall be resuspended.

7. The director shall revoke the license and driving privilege of any person when the person's driving record shows such person has accumulated twelve points in twelve months or eighteen points in twenty-four months or twenty-four points in thirty-six months. The revocation period of any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303, RSMo, and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, except as provided in subsection 2 of section 302.541, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, RSMo, the person's license and driving privilege shall be rerevoked. Any person whose license and driving privilege have been revoked under the provisions of sections 302.010 to 302.540 shall, upon receipt of the notice of termination of the revocation from the director, pass the complete driver examination and apply for a new license before again operating a motor vehicle upon the highways of this state.

8. If, prior to conviction for an offense that would require suspension or revocation of a person's license under the provisions of this section, the person's total points accumulated are reduced, pursuant to the provisions of section 302.306, below the number of points required for suspension or revocation pursuant to the provisions of this section, then the person's license shall not be suspended or revoked until the necessary points are again obtained and accumulated.

9. If any person shall neglect or refuse to surrender the person's license, as provided herein, the director shall direct the state highway patrol or any peace or police officer to secure possession thereof and return it to the director.

10. Upon the issuance of a reinstatement or termination notice after a suspension or revocation of any person's license and driving privilege under the provisions of sections 302.010 to 302.540, the accumulated point value shall be reduced to four points, except that the points of any person serving as a member of the armed forces of the United States outside the limits of the United States during a period of suspension or revocation shall be reduced to zero upon the date of the reinstatement or termination of notice. It shall be the responsibility of such member of the armed forces to submit copies of official orders to the director of revenue to substantiate such overseas service. Any other provision of sections 302.010 to 302.540 to the contrary notwithstanding, the effective date of the four points remaining on the record upon reinstatement or termination shall be the date of the reinstatement or termination notice.

11. No credit toward reduction of points shall be given during periods of suspension or revocation or any period of driving under a limited driving privilege granted by a court or the director of revenue.

12. Any person or nonresident whose license or privilege to operate a motor vehicle in this state has been suspended or revoked under this or any other law shall, before having the license or privilege to operate a motor vehicle reinstated, pay to the director a reinstatement fee of twenty dollars which shall be in addition to all other fees provided by law.

13. Notwithstanding any other provision of law to the contrary, if after two years from the effective date of any suspension or revocation issued under this chapter, the person or nonresident has not paid the reinstatement fee of twenty dollars, the director shall reinstate such license or privilege to operate a motor vehicle in this state.

14. No person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (8), (9) or (10) of subsection 1 of section 302.302 shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 302.010, or a program determined to be comparable by the department of mental health. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023, RSMo, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

15. The fees for the program authorized in subsection 14 of this section, or a portion thereof to be determined by the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee in an amount to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010 and section 577.001, RSMo, or a program determined to be comparable by the department of mental health. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rate established pursuant to the provisions of section 32.065, RSMo, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053, RSMo.

16. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate

appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

**17. Any person who has had a license to operate a motor vehicle suspended or revoked as a result of an assessment of points for a violation under subdivision (9) of subsection 1 of section 302.302 shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement of the license. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked and the person shall be guilty of a class A misdemeanor.**

302.309. 1. Whenever any license is suspended pursuant to sections 302.302 to 302.309, the director of revenue shall return the license to the operator immediately upon the termination of the period of suspension and upon compliance with the requirements of chapter 303, RSMo.

2. Any operator whose license is revoked pursuant to these sections, upon the termination of the period of revocation, shall apply for a new license in the manner prescribed by law.

3. (1) All circuit courts or the director of revenue shall have jurisdiction to hear applications and make eligibility determinations granting limited driving privileges. Any application may be made in writing to the director of revenue and the person's reasons for requesting the limited driving privilege shall be made therein.

(2) When any court of record having jurisdiction or the director of revenue finds that an operator is required to operate a motor vehicle in connection with any of the following:

- (a) A business, occupation, or employment;
- (b) Seeking medical treatment for such operator;
- (c) Attending school or other institution of higher education;
- (d) Attending alcohol or drug treatment programs; [or]
- (e) **Seeking the required services of a certified ignition interlock device provider; or**
- (f) Any other circumstance the court or director finds would create an undue hardship on the operator;

the court or director may grant such limited driving privilege as the circumstances of the case justify if the court or director finds undue hardship would result to the individual, and while so operating a motor vehicle within the restrictions and limitations of the limited driving privilege the driver shall not be guilty of operating a motor vehicle without a valid license.

(3) An operator may make application to the proper court in the county in which such operator resides or in the county in which is located the operator's principal place of business or employment. Any application for a limited driving privilege made to a circuit court shall name the director as a party defendant and shall be served upon the director prior to the grant of any limited privilege, and shall be accompanied by a copy of the applicant's driving record as certified by the director. Any applicant for a limited driving privilege shall have on file with the department of revenue proof of financial responsibility as required by chapter 303, RSMo. Any application by a person who transports persons or property as classified in section 302.015 may be accompanied by proof of financial responsibility as required by chapter 303, RSMo, but if proof of financial responsibility does not accompany the application, or if the applicant does not have on file with the department of revenue proof of financial responsibility, the court or the director has discretion to grant the limited driving privilege to the person solely for the purpose of operating a vehicle whose owner has complied with chapter 303, RSMo, for that vehicle, and the limited driving privilege must state such restriction. When operating such vehicle under such restriction the person shall carry proof that the owner has complied with chapter 303, RSMo, for that vehicle.

**(4) No limited driving privilege shall be issued to any person otherwise eligible under the provisions of paragraph (a) of subdivision (6) of subsection 3 of this section on a license revocation resulting from a conviction under subdivision (9) of subsection 1 of section 302.302; or a license denial under paragraph (a) or (b) of subdivision (8) of subsection 3 of this section; until the applicant has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of limited driving privilege.**

(5) The court order or the director's grant of the limited **or restricted** driving privilege shall indicate the termination date of the privilege, which shall be not later than the end of the period of suspension or revocation. A copy of any court order shall be sent by the clerk of the court to the director, and a copy shall be given to the driver which shall be carried by the driver whenever such driver operates a motor vehicle. The director of revenue upon granting a limited driving privilege shall give a copy of the limited driving privilege to the applicant. The applicant shall carry a copy of

the limited driving privilege while operating a motor vehicle. A conviction which results in the assessment of points pursuant to section 302.302, other than a violation of a municipal stop sign ordinance where no accident is involved, against a driver who is operating a vehicle pursuant to a limited driving privilege terminates the privilege, as of the date the points are assessed to the person's driving record. If the date of arrest is prior to the issuance of the limited driving privilege, the privilege shall not be terminated. **Failure of the driver to maintain proof of financial responsibility, as required by chapter 303, or to maintain proof of installation of a functioning, certified ignition interlock device, as applicable, shall terminate the privilege.** The director shall notify by ordinary mail the driver whose privilege is so terminated.

[(5)] (6) Except as provided in subdivision [(7)] (8) of this subsection, no person is eligible to receive a limited driving privilege who at the time of application for a limited driving privilege has previously been granted such a privilege within the immediately preceding five years, or whose license has been suspended or revoked for the following reasons:

(a) A conviction of violating the provisions of section 577.010 or 577.012, RSMo, or any similar provision of any federal or state law, or a municipal or county law where the judge in such case was an attorney and the defendant was represented by or waived the right to an attorney in writing, until the person has completed the first thirty days of a suspension or revocation imposed pursuant to this chapter;

(b) A conviction of any felony in the commission of which a motor vehicle was used;

(c) Ineligibility for a license because of the provisions of subdivision (1), (2), (4), (5), (6), (7), (8), (9), (10) or (11) of section 302.060;

(d) Because of operating a motor vehicle under the influence of narcotic drugs, a controlled substance as defined in chapter 195, RSMo, or having left the scene of an accident as provided in section 577.060, RSMo;

(e) Due to a revocation for the first time for failure to submit to a chemical test pursuant to section 577.041, RSMo, or due to a refusal to submit to a chemical test in any other state, if such person has not completed the first ninety days of such revocation;

(f) Violation more than once of the provisions of section 577.041, RSMo, or a similar implied consent law of any other state; or

(g) Due to a suspension pursuant to subsection 2 of section 302.525 and who has not completed the first thirty days of such suspension, provided the person is not otherwise ineligible for a limited driving privilege; or due to a revocation pursuant to subsection 2 of section 302.525 if such person has not completed such revocation.

[(6)] (7) No person who possesses a commercial driver's license shall receive a limited driving privilege issued for the purpose of operating a commercial motor vehicle if such person's driving privilege is suspended, revoked, canceled, denied, or disqualified. Nothing in this section shall prohibit the issuance of a limited driving privilege for the purpose of operating a noncommercial motor vehicle provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege.

[(7)] (8) (a) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of ten years, as prescribed in subdivision (9) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least three years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding three years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state.

(b) Provided that pursuant to the provisions of this section, the applicant is not otherwise ineligible for a limited driving privilege or convicted of involuntary manslaughter while operating a motor vehicle in an intoxicated condition, a circuit court or the director may, in the manner prescribed in this subsection, allow a person who has had such person's license to operate a motor vehicle revoked where that person cannot obtain a new license for a period of five years because of two convictions of driving while intoxicated, as prescribed in subdivision (10) of section 302.060, to apply for a limited driving privilege pursuant to this subsection if such person has served at least two years of such disqualification or revocation. Such person shall present evidence satisfactory to the court or the director that such person has not been convicted of any offense related to alcohol, controlled substances or drugs during the preceding two years and that the person's habits and conduct show that the person no longer poses a threat to the public safety of this state. Any person who is denied a license permanently in this state because of an alcohol-related conviction subsequent to a restoration of such person's driving privileges pursuant to subdivision (9) of section 302.060 shall not be eligible for limited driving privilege pursuant to the provisions of this subdivision.

4. Any person who has received notice of denial of a request of limited driving privilege by the director of revenue may make a request for a review of the director's determination in the circuit court of the county in which the



person resides or the county in which is located the person's principal place of business or employment within thirty days of the date of mailing of the notice of denial. Such review shall be based upon the records of the department of revenue and other competent evidence and shall be limited to a review of whether the applicant was statutorily entitled to the limited driving privilege.

5. The director of revenue shall promulgate rules and regulations necessary to carry out the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid and void.

302.525. 1. The license suspension or revocation shall become effective fifteen days after the subject person has received the notice of suspension or revocation as provided in section 302.520, or is deemed to have received the notice of suspension or revocation by mail as provided in section 302.515. If a request for a hearing is received by or postmarked to the department within that fifteen-day period, the effective date of the suspension or revocation shall be stayed until a final order is issued following the hearing; provided, that any delay in the hearing which is caused or requested by the subject person or counsel representing that person without good cause shown shall not result in a stay of the suspension or revocation during the period of delay.

2. The period of license suspension or revocation under this section shall be as follows:

(1) If the person's driving record shows no prior alcohol-related enforcement contacts during the immediately preceding five years, the period of suspension shall be thirty days after the effective date of suspension, followed by a sixty-day period of restricted driving privilege as defined in section 302.010 and issued by the director of revenue. The restricted driving privilege shall not be issued until he or she has filed proof of financial responsibility with the department of revenue, in accordance with chapter 303, RSMo, and is otherwise eligible. In no case shall restricted driving privileges be issued pursuant to this section or section 302.535 until the person has completed the first thirty days of a suspension under this section;

(2) The period of revocation shall be one year if the person's driving record shows one or more prior alcohol-related enforcement contacts during the immediately preceding five years;

**(3) In no case shall restricted driving privileges be issued under this section to any person whose driving record shows one or more prior alcohol-related enforcement contacts until the person has completed the first thirty days of a suspension under this section and has filed proof with the department of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of the restricted driving privilege. If the person fails to maintain such proof the restricted driving privilege shall be terminated.**

3. For purposes of this section, "alcohol-related enforcement contacts" shall include any suspension or revocation under sections 302.500 to 302.540, any suspension or revocation entered in this or any other state for a refusal to submit to chemical testing under an implied consent law, and any conviction in this or any other state for a violation which involves driving **while intoxicated, driving while under the influence of drugs or alcohol, or driving** a vehicle while having an unlawful alcohol concentration.

4. Where a license is suspended or revoked under this section and the person is also convicted on charges arising out of the same occurrence for a violation of section 577.010 or 577.012, RSMo, or for a violation of any county or municipal ordinance prohibiting driving while intoxicated or alcohol-related traffic offense, both the suspension or revocation under this section and any other suspension or revocation arising from such convictions shall be imposed, but the period of suspension or revocation under sections 302.500 to 302.540 shall be credited against any other suspension or revocation arising from such convictions, and the total period of suspension or revocation shall not exceed the longer of the two suspension or revocation periods.

**5. Any person who has had a license to operate a motor vehicle revoked under this section or suspended under this section with one or more prior alcohol-related enforcement contacts showing on their driver record shall be required to file proof with the director of revenue that any motor vehicle operated by that person is equipped with a functioning, certified ignition interlock device as a required condition of reinstatement. The ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director, the license shall be resuspended or revoked, as applicable.";** and

Further amend said bill, Page 48, Section 577.023, Line 112, by inserting after all of said line the following:

"577.041. 1. If a person under arrest, or who has been stopped pursuant to subdivision (2) or (3) of subsection 1 of section 577.020, refuses upon the request of the officer to submit to any test allowed pursuant to section 577.020, then none shall be given and evidence of the refusal shall be admissible in a proceeding pursuant to section 565.024, 565.060, or 565.082, RSMo, or section 577.010 or 577.012. The request of the officer shall include the reasons of the officer for requesting the person to submit to a test and also shall inform the person that evidence of refusal to take the test may be used against such person and that the person's license shall be immediately revoked upon refusal to take the test. If a person when requested to submit to any test allowed pursuant to section 577.020 requests to speak to an attorney, the person shall be granted twenty minutes in which to attempt to contact an attorney. If upon the completion of the twenty-minute period the person continues to refuse to submit to any test, it shall be deemed a refusal. In this event, the officer shall, on behalf of the director of revenue, serve the notice of license revocation personally upon the person and shall take possession of any license to operate a motor vehicle issued by this state which is held by that person. The officer shall issue a temporary permit, on behalf of the director of revenue, which is valid for fifteen days and shall also give the person a notice of such person's right to file a petition for review to contest the license revocation.

2. The officer shall make a certified report under penalties of perjury for making a false statement to a public official. The report shall be forwarded to the director of revenue and shall include the following:

(1) That the officer has:

(a) Reasonable grounds to believe that the arrested person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer has reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater;

(2) That the person refused to submit to a chemical test;

(3) Whether the officer secured the license to operate a motor vehicle of the person;

(4) Whether the officer issued a fifteen-day temporary permit;

(5) Copies of the notice of revocation, the fifteen-day temporary permit and the notice of the right to file a petition for review, which notices and permit may be combined in one document; and

(6) Any license to operate a motor vehicle which the officer has taken into possession.

3. Upon receipt of the officer's report, the director shall revoke the license of the person refusing to take the test for a period of one year; or if the person is a nonresident, such person's operating permit or privilege shall be revoked for one year; or if the person is a resident without a license or permit to operate a motor vehicle in this state, an order shall be issued denying the person the issuance of a license or permit for a period of one year.

4. If a person's license has been revoked because of the person's refusal to submit to a chemical test, such person may petition for a hearing before a circuit or associate circuit court in the county in which the arrest or stop occurred. The person may request such court to issue an order staying the revocation until such time as the petition for review can be heard. If the court, in its discretion, grants such stay, it shall enter the order upon a form prescribed by the director of revenue and shall send a copy of such order to the director. Such order shall serve as proof of the privilege to operate a motor vehicle in this state and the director shall maintain possession of the person's license to operate a motor vehicle until termination of any revocation pursuant to this section. Upon the person's request the clerk of the court shall notify the prosecuting attorney of the county and the prosecutor shall appear at the hearing on behalf of the director of revenue. At the hearing the court shall determine only:

(1) Whether or not the person was arrested or stopped;

(2) Whether or not the officer had:

(a) Reasonable grounds to believe that the person was driving a motor vehicle while in an intoxicated or drugged condition; or

(b) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was driving a motor vehicle with a blood alcohol content of two-hundredths of one percent or more by weight; or

(c) Reasonable grounds to believe that the person stopped, being under the age of twenty-one years, was committing a violation of the traffic laws of the state, or political subdivision of the state, and such officer had reasonable grounds to believe, after making such stop, that the person had a blood alcohol content of two-hundredths of one percent or greater; and

(3) Whether or not the person refused to submit to the test.

5. If the court determines any issue not to be in the affirmative, the court shall order the director to reinstate the license or permit to drive.

6. Requests for review as provided in this section shall go to the head of the docket of the court wherein filed.

7. No person who has had a license to operate a motor vehicle suspended or revoked pursuant to the provisions of this section shall have that license reinstated until such person has participated in and successfully completed a substance abuse traffic offender program defined in section 577.001, or a program determined to be comparable by the department of mental health or the court. Assignment recommendations, based upon the needs assessment as described in subdivision (22) of section 302.010, RSMo, shall be delivered in writing to the person with written notice that the person is entitled to have such assignment recommendations reviewed by the court if the person objects to the recommendations. The person may file a motion in the associate division of the circuit court of the county in which such assignment was given, on a printed form provided by the state courts administrator, to have the court hear and determine such motion pursuant to the provisions of chapter 517, RSMo. The motion shall name the person or entity making the needs assessment as the respondent and a copy of the motion shall be served upon the respondent in any manner allowed by law. Upon hearing the motion, the court may modify or waive any assignment recommendation that the court determines to be unwarranted based upon a review of the needs assessment, the person's driving record, the circumstances surrounding the offense, and the likelihood of the person committing a like offense in the future, except that the court may modify but may not waive the assignment to an education or rehabilitation program of a person determined to be a prior or persistent offender as defined in section 577.023, or of a person determined to have operated a motor vehicle with fifteen-hundredths of one percent or more by weight in such person's blood. Compliance with the court determination of the motion shall satisfy the provisions of this section for the purpose of reinstating such person's license to operate a motor vehicle. The respondent's personal appearance at any hearing conducted pursuant to this subsection shall not be necessary unless directed by the court.

8. The fees for the substance abuse traffic offender program, or a portion thereof to be determined by the division of alcohol and drug abuse of the department of mental health, shall be paid by the person enrolled in the program. Any person who is enrolled in the program shall pay, in addition to any fee charged for the program, a supplemental fee to be determined by the department of mental health for the purposes of funding the substance abuse traffic offender program defined in section 302.010, RSMo, and section 577.001. The administrator of the program shall remit to the division of alcohol and drug abuse of the department of mental health on or before the fifteenth day of each month the supplemental fee for all persons enrolled in the program, less two percent for administrative costs. Interest shall be charged on any unpaid balance of the supplemental fees due the division of alcohol and drug abuse pursuant to this section and shall accrue at a rate not to exceed the annual rates established pursuant to the provisions of section 32.065, RSMo, plus three percentage points. The supplemental fees and any interest received by the department of mental health pursuant to this section shall be deposited in the mental health earnings fund which is created in section 630.053, RSMo.

9. Any administrator who fails to remit to the division of alcohol and drug abuse of the department of mental health the supplemental fees and interest for all persons enrolled in the program pursuant to this section shall be subject to a penalty equal to the amount of interest accrued on the supplemental fees due the division pursuant to this section. If the supplemental fees, interest, and penalties are not remitted to the division of alcohol and drug abuse of the department of mental health within six months of the due date, the attorney general of the state of Missouri shall initiate appropriate action of the collection of said fees and interest accrued. The court shall assess attorney fees and court costs against any delinquent program.

**10. Any person who has had a license to operate a motor vehicle revoked more than once for violation of the provisions of this section shall be required to file proof with the director of revenue that any motor vehicle operated by the person is equipped with a functioning, certified ignition interlock device as a required condition of license reinstatement. Such ignition interlock device shall further be required to be maintained on all motor vehicles operated by the person for a period of not less than six months immediately following the date of reinstatement. If the person fails to maintain such proof with the director as required by this section, the license shall be rerevoked and the person shall be guilty of a class A misdemeanor.**

**11. The revocation period of any person whose license and driving privilege has been revoked under this section and who has filed proof of financial responsibility with the department of revenue in accordance with chapter 303, RSMo, and is otherwise eligible, shall be terminated by a notice from the director of revenue after one year from the effective date of the revocation. Unless proof of financial responsibility is filed with the department of revenue, the revocation shall remain in effect for a period of two years from its effective date. If the person fails to maintain proof of financial responsibility in accordance with chapter 303, RSMo, the person's license and driving privilege shall be rerevoked and the person shall be guilty of a class A misdemeanor.**

577.600. 1. In addition to any other provisions of law, a court may require that any person who is found guilty of or pleads guilty to a first intoxication-related traffic offense, as defined in section 577.023, and a court shall require that any person who is found guilty of or pleads guilty to a second or subsequent intoxication-related traffic offense, as defined in section 577.023, shall not operate any motor vehicle unless that vehicle is equipped with a functioning, certified ignition interlock device for a period of not less than [one month] **six months** from the date of reinstatement of the person's driver's license. In addition, any court authorized to grant a limited driving privilege under section 302.309, RSMo, to any person who is found guilty of or pleads guilty to a second or subsequent intoxication-related traffic offense shall require the use of an ignition interlock device on all vehicles operated by the person as a required condition of the limited driving privilege. **These requirements shall be in addition to any other provisions of this chapter or chapter 302, RSMo, requiring installation and maintenance of an ignition interlock device.** Any person required to use an ignition interlock device, **either under the provisions of this chapter or chapter 302, RSMo**, shall comply with [the court order.] **such requirement** subject to the penalties provided by this section.

2. No person shall knowingly rent, lease or lend a motor vehicle to a person known to have had that person's driving privilege restricted as provided in subsection 1 of this section, unless the vehicle is equipped with a functioning, certified ignition interlock device. Any person whose driving privilege is restricted as provided in subsection 1 of this section shall notify any other person who rents, leases or loans a motor vehicle to that person of the driving restriction imposed pursuant to this section.

3. Any person convicted of a violation of this section shall be guilty of a class A misdemeanor.

577.602. 1. If a court imposes a fine and requires the use of an ignition interlock device for the same offense, the amount of the fine may be reduced by the cost of the ignition interlock device.

2. If the court requires the use of an ignition interlock device, it shall order the installation of the device on any vehicle which the offender operates during the period of probation or limited driving privilege.

3. If the court imposes the use of an ignition interlock device on a person having full or limited driving privileges, the court shall require the person to provide proof of compliance with the order to the court or the probation officer within thirty days of this court's order or sooner, as required by the court, **in addition to any proof required to be filed with the director of revenue under the provisions of this chapter or chapter 302, RSMo.** If the person fails to provide proof of installation within that period, absent a finding by the court of good cause for that failure which is entered in the court record, the court shall revoke or terminate the person's probation or limited driving privilege.

4. Nothing in sections 577.600 to 577.614 shall be construed to authorize a person to operate a motor vehicle whose driving privileges have been suspended or revoked, unless the person has obtained a limited driving privilege or restricted driving privilege under other provisions of law.

5. The person whose driving privilege is restricted pursuant to section 577.600 shall report to the court or the probation officer at least once annually, or more frequently as the court may order, on the operation of each ignition interlock device in the person's vehicle or vehicles. Such person shall be responsible for the cost and maintenance of the ignition interlock device. If such device is broken, destroyed or stolen, such person shall also be liable for the cost of replacement of the device.

6. The court may require a person whose driving privilege is restricted under section 577.600 to report to any officer appointed by the court in lieu of a probation officer.

7. The court shall require periodic calibration checks that are needed for the proper operation of the ignition interlock device.

577.612. 1. It is unlawful for any person whose driving privilege is restricted pursuant to [section 577.600] **the provisions of this chapter or chapter 302, RSMo**, to request or solicit any other person to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing the person so restricted with an operable motor vehicle.

2. It is unlawful to blow into an ignition interlock device or to start a motor vehicle equipped with the device for the purpose of providing an operable motor vehicle to a person whose driving privilege is restricted pursuant to [section 577.600] **the provisions of this chapter or chapter 302, RSMo.**

3. It is unlawful to tamper with, or circumvent the operation of, an ignition interlock device.

4. Any person who violates any provision of this section is guilty of a class A misdemeanor.

Section B. The repeal and reenactment of sections 302.010, 302.060, 302.304, 302.309, 302.525, 577.023, 577.041, 577.600, 577.602, and 577.612 of section A of this act shall become effective on July 1, 2009.

Section C. Because immediate action is necessary to rectify a recent Supreme Court ruling which held that a defendant's prior guilty plea and suspended imposition of sentence in municipal court could not be used to enhance the punishment for the defendant's new intoxication-related traffic offense, section 577.023 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and section 577.023 of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 1** was adopted.

Representative Icet offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 10, Section 144.805, Line 30, by deleting the second occurrence of the opening bracket, "[" after the letters, "RSMo"; and

Further amend said page and section, Line 31, by putting opening and closing brackets, "[]" around the word "six"; and

Further amend said page, section and line, by inserting after the word, "six" the word, "**eight**"; and

Further amend said page and section, Line 32, by deleting the closing bracket, "];" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Stevenson assumed the Chair.

On motion of Representative Icet, **House Amendment No. 2** was adopted.

Representative Cooper (120) offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 33, Section 304.180, Line 102, by inserting after the second occurrence of the word "pounds" the words "**, except as provided in subsection 9 of this section**"; and

Further amend said bill, Page 33, Section 304.180, Line 118, by inserting after said line the following:

**"9. Notwithstanding subsections 3 and 6 of this section or any other provision of law to the contrary, the total gross weight of any vehicle or combination of vehicles hauling livestock may be as much as, but shall not exceed, eighty-five thousand five hundred pounds while operating on U.S. Highway 36 from St. Joseph to U.S. Highway 65, and on U.S. Highway 65 from the Iowa state line to U.S. Highway 36."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 3** was adopted by the following vote:

AYES: 114

Aull	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Hobbs	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kuessner
Lembke	Liese	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Portwood	Pratt
Quinn 7	Richard	Robb	Roorda	Ruzicka
Salva	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Witte	Wood	Wright 159
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 028

Bringer	Burnett	Daus	Dusenberg	Frame
George	Harris 23	Harris 110	Hodges	Johnson
Komo	Kraus	Lampe	LeVota	Lipke
Low 39	McClanahan	Nasheed	Norr	Oxford
Quinn 9	Schoemehl	Shively	Skaggs	Todd
Villa	Vogt	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Bland	Cooper 155	El-Amin	Haywood
Hunter	Lowe 44	Page	Pollock	Robinson
Rucker	Ruestman	Sander	Schneider	Spreng
Walsh	Wilson 130	Wright-Jones	Young	

VACANCIES: 002

Representative Burnett offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 22, Section 302.720, Line 1, by inserting before all of said line, the following:

"302.341. If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which he is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against him for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall [reinstate] **return the license and remove the suspension from the individual's driving record.** The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section. If any city, town or village receives more than forty-five percent of its total annual revenue from fines for traffic violations occurring on state highways, all revenues from such violations in excess of forty-five percent of the total annual revenue of the city, town or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 4** was adopted.

Representative Faith offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 305.230, Page 41, Line 86, by inserting after all of said line the following:

**"385.400. Sections 385.400 to 385.436 shall be known and may be cited as the "Missouri Vehicle Protection Product Act".**

**385.403. As used in sections 385.400 to 385.436, the following terms shall mean:**

(1) "Administrator", a third party other than the warrantor who is designated by the warrantor to be responsible for the administration of vehicle protection product warranties;

(2) "Department", the department of insurance, financial institutions and professional registration;

(3) "Director", the director of the department of insurance, financial institutions, and professional registration;

(4) "Incidental costs", expenses specified in the warranty incurred by the warranty holder related to the failure of the vehicle protection product to perform as provided in the warranty. Incidental costs may include, without limitation, insurance policy deductibles, rental vehicle charges, the difference between the actual value

of the stolen vehicle at the time of theft and the cost of a replacement vehicle, sales taxes, registration fees, transaction fees, and mechanical inspection fees;

(5) "Premium", the consideration paid to an insurer for a reimbursement insurance policy;

(6) "Service contract", a contract or agreement for a separately stated consideration or for a specific duration to perform the repair, replacement, or maintenance of a motor vehicle or indemnification for repair, replacement, or maintenance, for the operational or structural failure due to a defect in materials, workmanship, or normal wear and tear, with or without additional provision for incidental payment of indemnity under limited circumstances, including but not limited to towing, rental, and emergency road service, but does not include mechanical breakdown insurance or maintenance agreements;

(7) "Vehicle protection product", a vehicle protection device, system, or service that:

(a) Is installed on or applied to a vehicle;

(b) Is designed to prevent loss or damage to a vehicle from a specific cause; and

(c) Includes a written warranty.

For purposes of sections 385.400 to 385.436, the term "vehicle protection product" shall include, without limitation, alarm systems, body part marking products, steering locks, window etch products, pedal and ignition locks, fuel and ignition kill switches, and electronic, radio, and satellite tracking devices;

(8) "Vehicle protection product warranty" or "warranty", a written agreement by a warrantor that provides that if the vehicle protection product fails to prevent loss or damage to a vehicle from a specific cause, then the warranty holder shall be paid specified incidental costs by the warrantor as a result of the failure of the vehicle protection product to perform pursuant to the terms of the warranty. Incidental costs may be reimbursed under the provisions of the warranty in either a fixed amount specified in the warranty or sales agreement or by the use of a formula itemizing specific incidental costs incurred by the warranty holder;

(9) "Vehicle protection product warrantor" or "warrantor", a person who is contractually obligated to the warranty holder under the terms of the vehicle protection product warranty agreement. "Warrantor" does not include an authorized insurer providing a warranty reimbursement insurance policy;

(10) "Warranty holder", the person who purchases a vehicle protection product or who is a permitted transferee;

(11) "Warranty reimbursement insurance policy", a policy of insurance that is issued to the vehicle protection product warrantor to provide reimbursement to the warrantor or to pay on behalf of the warrantor all covered contractual obligations incurred by the warrantor under the terms and conditions of the insured vehicle protection product warranties sold by the warrantor.

**385.406. 1.** No vehicle protection product may be sold or offered for sale in this state unless the seller, warrantor, and administrator, if any, comply with the provisions of sections 385.400 to 385.436.

**2.** Vehicle protection product warrantors and related vehicle protection product sellers and warranty administrators complying with sections 385.400 to 385.436 are not required to comply with and are not subject to any other provisions of the state insurance code.

**3.** Service contract providers who do not sell vehicle protection products are not subject to the requirements of sections 385.400 to 385.436 and sales of vehicle protection products are exempt from the requirements of sections 385.200 to 385.220.

**4.** Warranties, indemnity agreements, and guarantees that are not provided as a part of a vehicle protection product are not subject to the provisions of sections 385.400 to 385.436.

**5.** Notwithstanding the provisions of sections 408.140 and 408.233, RSMo, a business which is licensed and regulated under sections 367.100 to 367.215 or sections 367.500 to 367.533, RSMo, may offer and sell service contracts, as defined in sections 385.200, 385.300, and 385.403, in conjunction with other transactions so long as such business complies with all other requirements of chapter 385.

**385.409. 1.** A person may not operate as a warrantor or represent to the public that the person is a warrantor unless the person is registered with the department on a form prescribed by the director.

**2.** Warrantor registration records shall be filed annually and shall be updated within thirty days of any change. The registration records shall contain the following information:

(1) The warrantor's name, any fictitious names under which the warrantor does business in the state, principal office address, and telephone number;

(2) The name and address of the warrantor's agent for service of process in the state if other than the warrantor;



(3) The names of the warrantor's executive officer or officers directly responsible for the warrantor's vehicle protection product business;

(4) The name, address, and telephone number of any administrators designated by the warrantor to be responsible for the administration of vehicle protection product warranties in this state;

(5) A copy of the warranty reimbursement insurance policy or policies or other financial information required by section 385.412;

(6) A copy of each warranty the warrantor proposes to use in this state; and

(7) A statement indicating under which provision of section 385.412 the warrantor qualifies to do business in this state as a warrantor.

3. The director may charge each registrant a reasonable fee to offset the cost of processing the registration and maintaining the records in an amount not to exceed five hundred dollars annually or as set by regulation. The information in subdivisions (1) and (2) of subsection 2 of this section shall be made available to the public.

4. If a registrant fails to register by the renewal deadline, the director shall give him or her written notice of the failure and the registrant will have thirty days to complete the renewal of his or her registration before he or she is suspended from being registered in this state.

5. An administrator or person who sells or solicits a sale of a vehicle protection product but who is not a warrantor shall not be required to register as a warrantor or be licensed under the insurance laws of this state to sell vehicle protection products.

**385.412.** No vehicle protection product shall be sold or offered for sale in this state unless the warrantor conforms to either subdivision (1) or (2) of this section in order to ensure adequate performance under the warranty. No other financial security requirements or financial standards for warrantors shall be required. The vehicle protection product's warrantor may meet the requirements of this section by:

(1) Obtaining a warranty reimbursement insurance policy issued by an insurer authorized to do business within this state which provides that the insurer will pay to, or on behalf of, the warrantor one hundred percent of all sums that the warrantor is legally obligated to pay according to the warrantor's contractual obligations under the warrantor's vehicle protection product warranty. The warrantor shall file a true and correct copy of the warranty reimbursement insurance policy with the director. The policy shall contain the provisions required in section 385.415; or

(2) Maintaining a net worth or stockholder's equity of fifty million dollars. The warrantor shall provide the director with a copy of the warrantor's or warrantor's parent company's most recent Form 10-K or Form 20-F filed with the Securities and Exchange Commission within the last calendar year, or if the warrantor does not file with the Securities and Exchange Commission, a copy of the warrantor or the warrantor's parent company's audited financial statements that shows a net worth of the warrantor or its parent company of at least fifty million dollars. If the warrantor's parent company's Form 10-K, Form 20-F, or audited financial statements are filed to meet the warrantor's financial stability requirement, then the parent company shall agree to guarantee the obligations of the warrantor relating to warranties issued by the warrantor in this state. The financial information filed under this subdivision shall be confidential as a trade secret of the entity filing the information and not subject to public disclosure if the entity is not required to file with the Securities and Exchange Commission.

**385.415.** No warranty reimbursement insurance policy shall be issued, sold, or offered for sale in this state unless the policy meets the following conditions:

(1) The policy states that the issuer of the policy will reimburse or pay on behalf of the vehicle protection product warrantor all covered sums which the warrantor is legally obligated to pay or will provide that all service that the warrantor is legally obligated to perform according to the warrantor's contractual obligations under the provisions of the insured warranties sold by the warrantor;

(2) The policy states that in the event payment due under the terms of the warranty is not provided by the warrantor within sixty days after proof of loss has been filed according to the terms of the warranty by the warranty holder, the warranty holder may file directly with the warranty reimbursement insurance company for reimbursement;

(3) The policy provides that a warranty reimbursement insurance company that insures a warranty shall be deemed to have received payment of the premium if the warranty holder paid for the vehicle protection product and insurer's liability under the policy shall not be reduced or relieved by a failure of the warrantor, for any reason, to report the issuance of a warranty to the insurer; and

- (4) The policy has the following provisions regarding cancellation of the policy:
  - (a) The issuer of a reimbursement insurance policy shall not cancel such policy until a notice of cancellation in writing has been mailed or delivered to the director and each insured warrantor sixty days prior to cancellation of the policy;
  - (b) The cancellation of a reimbursement insurance policy shall not reduce the issuer's responsibility for vehicle protection products sold prior to the date of cancellation; and
  - (c) In the event an insurer cancels a policy that a warrantor has filed with the director, the warrantor shall do either of the following:
    - a. File a copy of a new policy with the director, before the termination of the prior policy; or
    - b. Discontinue offering warranties as of the termination date of the policy until a new policy becomes effective and is accepted by the director.

**385.418. 1.** Every vehicle protection product warranty shall be written in clear, understandable language and shall be printed or typed in an easy-to-read point size and font and shall not be issued, sold, or offered for sale in the state unless the warranty:

- (1) States that the obligations of the warrantor to the warranty holder are guaranteed under a warranty reimbursement insurance policy if the warrantor elects to meet its financial responsibility obligations under subdivision (1) of section 385.412, or states the obligations of the warrantor under this warranty are backed by the full faith and credit of the warrantor if the warrantor elects to meet its financial responsibility under subdivision (2) of section 385.412;
- (2) States that in the event a warranty holder must make a claim against a party other than the warrantor, the warranty holder is entitled to make a direct claim against the warranty reimbursement insurer upon the failure of the warrantor to pay any claim or meet any obligation under the terms of the warranty within sixty days after proof of loss has been filed with the warrantor, if the warrantor elects to meet its financial responsibility obligations under subdivision (1) of section 385.412;
- (3) States the name and address of the insurer of the warranty reimbursement insurance policy, and this information need not be preprinted on the warranty form but may be stamped on the warranty, if the warrantor elects to meet its financial responsibility obligations under subdivision (1) of section 385.412;
- (4) Identifies the warrantor, the seller, and the warranty holder;
- (5) Sets forth the total purchase price of the vehicle protection product warranty and the terms under which it is to be paid; however, the purchase price is not required to be preprinted on the vehicle protection product warranty and may be negotiated with the consumer at the time of sale;
- (6) Sets forth the procedure for making a claim, including a telephone number;
- (7) States the existence of a deductible amount, if any;
- (8) Specifies the payments or performance to be provided under the warranty including payments for incidental costs, the manner of calculation or determination of payments or performance, and any limitations, exceptions, or exclusions;
- (9) Sets forth all of the obligations and duties of the warranty holder such as the duty to protect against further damage to the vehicle, the obligation to notify the warrantor in advance of any repair, or other similar requirements, if any;
- (10) Sets forth any terms, restrictions, or conditions governing transferability of the warranty, if any; and
- (11) Contains a disclosure that reads substantially as follows: "This agreement is a product warranty and is not insurance".

**2.** At the time of sale, the seller or warrantor shall provide to the purchaser:

- (1) A copy of the vehicle protection product warranty; or
- (2) A receipt or other written evidence of the purchase of the vehicle protection product and a copy of the warranty within thirty days of the date of purchase.

**385.421. 1.** No vehicle protection product may be sold or offered for sale in this state unless the vehicle protection product warranty states the terms and conditions governing the cancellation of the sale and warranty, if any.

**2.** The warrantor may only cancel the warranty if the warranty holder does any of the following:

- (1) Fails to pay for the vehicle protection product;
- (2) Makes a material misrepresentation to the seller or warrantor;
- (3) Commits fraud; or

(4) Substantially breaches the warranty holder's duties under the warranty.

3. A warrantor canceling a warranty shall mail written notice of cancellation to the warranty holder at the last known address of the warranty holder in the warrantor's records at least thirty days prior to the effective date of the cancellation. The notice shall state the effective date of the cancellation and the reason for the cancellation.

**385.424.** 1. Unless licensed as an insurance company, a vehicle protection product warrantor shall not use in its name, contracts, or literature the words "insurance", "casualty", "surety", "mutual", or any other word that is descriptive of the insurance, casualty, or surety business or that is deceptively similar to the name or description of any insurance or surety corporation or any other vehicle protection product warrantor. A warrantor may use the term "guaranty" or a similar word in the warrantor's name. A warrantor or its representative shall not in its vehicle protection product warranties or literature make, permit, or cause to be made any false or misleading statement, or deliberately omit any material statement that would be considered misleading if omitted, in connection with the sale, offer to sell, or advertisement of a vehicle protection product warranty.

2. A vehicle protection product seller or warrantor may not require as a condition of financing that a retail purchaser of a motor vehicle purchase a vehicle protection product.

**385.427.** 1. All vehicle protection product warrantors shall keep accurate accounts, books, and records concerning transactions regulated under sections 385.400 to 385.436.

2. A vehicle protection product warrantor's accounts, books, and records shall include:

(1) Copies of all vehicle protection product warranties;

(2) The name and address of each warranty holder; and

(3) Claims files which shall contain at least the dates, amounts, and descriptions of all receipts, claims, and expenditures.

3. A vehicle protection product warrantor shall retain all required accounts, books, and records pertaining to each warranty holder for at least three years after the specified period of coverage has expired. A warrantor discontinuing business in the state shall maintain its records until it furnishes the director satisfactory proof that it has discharged all obligations to warranty holders in this state.

4. Vehicle protection product warrantors shall make all accounts, books, and records concerning transactions regulated under sections 385.400 to 385.436 available to the director for examination.

**385.430.** 1. The director may conduct examinations of warrantors, administrators, or other persons to enforce sections 385.400 to 385.436 and protect warranty holders in this state. Upon request of the director, a warrantor shall make available to the director all accounts, books, and records concerning vehicle protection products provided by the warrantor that are necessary to enable the director to reasonably determine compliance or noncompliance with sections 385.400 to 385.436.

2. If the director determines that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice, or course of business constituting a violation of sections 385.400 to 385.436 or a rule adopted or order issued pursuant thereto, or a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 385.400 to 385.436 or a rule adopted or order issued pursuant thereto, the director may issue such administrative orders as authorized under section 374.046, RSMo. A violation of these sections is a level two violation under section 374.049, RSMo.

3. If the director believes that a person has engaged, is engaging in, or has taken a substantial step toward engaging in an act, practice, or course of business constituting a violation of sections 385.400 to 385.436 or a rule adopted or order issued pursuant thereto, or that a person has materially aided or is materially aiding an act, practice, omission, or course of business constituting a violation of sections 385.400 to 385.436 or a rule adopted or order issued pursuant thereto, the director may maintain a civil action for relief authorized under section 374.048, RSMo. A violation of these sections is a level two violation under section 374.049, RSMo.

**385.433.** The director may promulgate rules and regulations to implement the provisions of sections 385.400 to 385.436. Such rules and regulations shall include disclosures for the benefit of the warranty holder, record keeping, and procedures for public complaints. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general

assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after January 1, 2009, shall be invalid and void.

**385.436. Sections 385.400 to 385.436 applies to all vehicle protection products sold or offered for sale on or after January 1, 2009. The failure of any person to comply with sections 385.400 to 385.436 prior to January 1, 2009, shall not be admissible in any court proceeding, administrative proceeding, arbitration, or alternative dispute resolution proceeding and may not otherwise be used to prove that the action of any person or the affected vehicle protection product was unlawful or otherwise improper. The adoption of sections 385.400 to 385.436 does not imply that a vehicle protection product warranty was insurance prior to January 1, 2009. The penalty provision of sections 385.400 to 385.436 do not apply to any violation of sections 385.400 to 385.436 relating to or in connection with the sale or failure to disclose in a retail installment contract or lease, or contract or agreement that provides for payments under a vehicle protection product warranty so long as the sale of such product, contract, or agreement was otherwise disclosed to the purchaser in writing at the time of the purchase or lease.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Faith, **House Amendment No. 5** was adopted.

Representative Jones (117) offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 48, Section 577.023, Line 112, by inserting after all of said line the following:

"590.050. 1. The POST commission shall establish requirements for the continuing education of all peace officers. Peace officers who make traffic stops shall be required to receive [annual training] **three hours of training within the law enforcement continuing education three-year reporting period** concerning the prohibition against racial profiling and such training shall promote understanding and respect for racial and cultural differences and the use of effective, noncombative methods for carrying out law enforcement duties in a racially and culturally diverse environment.

2. The director shall license continuing education providers and may probate, suspend and revoke such licenses upon written notice stating the reasons for such action. Any person aggrieved by a decision of the director pursuant to this subsection may appeal as provided in chapter 536, RSMo.

3. The costs of continuing law enforcement education shall be reimbursed in part by moneys from the peace officer standards and training commission fund created in section 590.178, subject to availability of funds, except that no such funds shall be used for the training of any person not actively commissioned or employed by a county or municipal law enforcement agency.

4. The director may engage in any activity intended to further the professionalism of peace officers through training and education, including the provision of specialized training through the department of public safety."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Skaggs raised a point of order that **House Amendment No. 6** goes beyond the scope of the bill.

Representative Stevenson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken and not timely.

On motion of Representative Jones (117), **House Amendment No. 6** was adopted.

Representative Guest offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 10, Section 155.010, Line 13, by inserting after said line the following:

"226.525. 1. The state highways and transportation commission is directed to erect within the right-of-way of all classes of highways within the state signs and notices pertaining to publicly and privately owned natural wonders [and], scenic and historical attractions, **and tourist attractions as defined in subsection 3 of this section**, under the following conditions:

(1) Such signs shall not violate any federal law, rule, or regulation affecting the allocation of federal funds to the state of Missouri or which violate any safety regulation formally promulgated by the state highways and transportation commission.

(2) Such official signs shall be limited in content to the name of the attraction and necessary travel information.

(3) The state highways and transportation commission shall determine those sites and attractions for which directional and other official signs may be erected as permitted by Section 131 of Title 23, United States Code, which it deems of such importance as to justify such signing, using as a guide those publicly or privately owned natural wonders and scenic, historic, educational, cultural, or recreational sites which have been determined to be of general interest.

(4) The state highways and transportation commission may require reimbursement for the cost of erection and maintenance of the official directional signs authorized hereunder when sites or attractions are privately owned by other than the state or political subdivisions. The state highways and transportation commission shall prescribe the size, number and locations of such signs based upon its determination of the travelers' need for directional information.

2. The commission shall adopt rules to implement a program for the erection and maintenance of tourist-oriented directional signs within the right-of-way of state highways in the state. The tourist-oriented directional signs shall provide business identification and directional information for natural attractions and activities which, during a normal business season, derive a major portion of the income and visitors for the business or activity from motorists not residing in the immediate area of the business or activity.

Natural attractions and activities eligible for such tourist-oriented directional signs shall include, but not be limited to, caves, museums, wineries, antique business districts and tourist-oriented directional signs indicating the location of any veterans' memorial located at any college in such county provided that such signs are located on a highway known as the "Veterans' Memorial Highway" in any county of the first classification with a population of more than one hundred seventy thousand inhabitants but less than two hundred thousand inhabitants.

**3. For purposes of this section, "tourist attraction" means a permanently established attraction or facility which attracts or is used by more than seven hundred fifty thousand visitors annually which appeals to the recreational desires and tastes of the traveling public through the presentation of services or devices designed to entertain or educate visitors and an established agri-tourism attraction whose products or services are regulated by the department of agriculture or a facility which attracts or is used by more than ten thousand visitors annually which appeals to the educational and recreational desires of the traveling public.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Guest, **House Amendment No. 7** was adopted.

Representative Wells offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 12, Section 227.400, Line 4, by inserting after all of said line the following:

"301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 to 304.260, RSMo, and sections 307.010 to 307.175, RSMo, the following terms mean:

(1) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be straddled by the operator, or with a seat designed to carry more than one person, and handlebars for steering control;

(2) "Automobile transporter", any vehicle combination designed and used specifically for the transport of assembled motor vehicles;

(3) "Axle load", the total load transmitted to the road by all wheels whose centers are included between two parallel transverse vertical planes forty inches apart, extending across the full width of the vehicle;

(4) "Boat transporter", any vehicle combination designed and used specifically to transport assembled boats and boat hulls;

(5) "Body shop", a business that repairs physical damage on motor vehicles that are not owned by the shop or its officers or employees by mending, straightening, replacing body parts, or painting;

(6) "Bus", a motor vehicle primarily for the transportation of a driver and eight or more passengers but not including shuttle buses;

(7) "Commercial motor vehicle", a motor vehicle designed or regularly used for carrying freight and merchandise, or more than eight passengers but not including vanpools or shuttle buses;

(8) "Cotton trailer", a trailer designed and used exclusively for transporting cotton at speeds less than forty miles per hour from field to field or from field to market and return;

(9) "Dealer", any person, firm, corporation, association, agent or subagent engaged in the sale or exchange of new, used or reconstructed motor vehicles or trailers;

(10) "Director" or "director of revenue", the director of the department of revenue;

(11) "Driveaway operation":

(a) The movement of a motor vehicle or trailer by any person or motor carrier other than a dealer over any public highway, under its own power singly, or in a fixed combination of two or more vehicles, for the purpose of delivery for sale or for delivery either before or after sale;

(b) The movement of any vehicle or vehicles, not owned by the transporter, constituting the commodity being transported, by a person engaged in the business of furnishing drivers and operators for the purpose of transporting vehicles in transit from one place to another by the driveaway or towaway methods; or

(c) The movement of a motor vehicle by any person who is lawfully engaged in the business of transporting or delivering vehicles that are not the person's own and vehicles of a type otherwise required to be registered, by the driveaway or towaway methods, from a point of manufacture, assembly or distribution or from the owner of the vehicles to a dealer or sales agent of a manufacturer or to any consignee designated by the shipper or consignor;

(12) "Dromedary", a box, deck, or plate mounted behind the cab and forward of the fifth wheel on the frame of the power unit of a truck tractor-semitrailer combination. A truck tractor equipped with a dromedary may carry part of a load when operating independently or in a combination with a semitrailer;

(13) "Farm tractor", a tractor used exclusively for agricultural purposes;

(14) "Fleet", any group of ten or more motor vehicles owned by the same owner;

(15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

(16) "Fullmount", a vehicle mounted completely on the frame of either the first or last vehicle in a saddlemount combination;

(17) "Gross weight", the weight of vehicle and/or vehicle combination without load, plus the weight of any load thereon;

(18) "Hail-damaged vehicle", any vehicle, the body of which has become dented as the result of the impact of hail;

(19) "Highway", any public thoroughfare for vehicles, including state roads, county roads and public streets, avenues, boulevards, parkways or alleys in any municipality;

(20) "Improved highway", a highway which has been paved with gravel, macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall have a hard, smooth surface;

(21) "Intersecting highway", any highway which joins another, whether or not it crosses the same;

(22) "Junk vehicle", a vehicle which is incapable of operation or use upon the highways and has no resale value except as a source of parts or scrap, and shall not be titled or registered;

(23) "Kit vehicle", a motor vehicle assembled by a person other than a generally recognized manufacturer of motor vehicles by the use of a glider kit or replica purchased from an authorized manufacturer and accompanied by a manufacturer's statement of origin;

(24) "Land improvement contractors' commercial motor vehicle", any not-for-hire commercial motor vehicle the operation of which is confined to:

(a) An area that extends not more than a radius of one hundred miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects involving soil and water conservation, or to and from equipment dealers' maintenance facilities for maintenance purposes; or

(b) An area that extends not more than a radius of fifty miles from its home base of operations when transporting its owner's machinery, equipment, or auxiliary supplies to or from projects not involving soil and water conservation.

Nothing in this subdivision shall be construed to prevent any motor vehicle from being registered as a commercial motor vehicle or local commercial motor vehicle;

(25) "Local commercial motor vehicle", a commercial motor vehicle whose operations are confined solely to a municipality and that area extending not more than fifty miles therefrom, or a commercial motor vehicle whose property-carrying operations are confined solely to the transportation of property owned by any person who is the owner or operator of such vehicle to or from a farm owned by such person or under the person's control by virtue of a landlord and tenant lease; provided that any such property transported to any such farm is for use in the operation of such farm;

(26) "Local log truck", a commercial motor vehicle which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, carries a load with dimensions not in excess of twenty-five cubic yards per two axles with dual wheels, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle shall not exceed the weight limits of section 304.180, RSMo, does not have more than four axles, and does not pull a trailer which has more than two axles. Harvesting equipment which is used specifically for cutting, felling, trimming, delimbing, debarking, chipping, skidding, loading, unloading, and stacking may be transported on a local log truck. A local log truck may not exceed the limits required by law, however, if the truck does exceed such limits as determined by the inspecting officer, then notwithstanding any other provisions of law to the contrary, such truck shall be subject to the weight limits required by such sections as licensed for eighty thousand pounds;

(27) "Local log truck tractor", a commercial motor vehicle which is registered under this chapter to operate as a motor vehicle on the public highways of this state, used exclusively in this state, used to transport harvested forest products, operated solely at a forested site and in an area extending not more than a one hundred-mile radius from such site, operates with a weight not exceeding twenty-two thousand four hundred pounds on one axle or with a weight not exceeding forty-four thousand eight hundred pounds on any tandem axle, and when operated on the national system of interstate and defense highways described in Title 23, Section 103(e) of the United States Code, such vehicle does not exceed the weight limits contained in section 304.180, RSMo, and does not have more than three axles and does not pull a trailer which has more than two axles. Violations of axle weight limitations shall be subject to the load limit penalty as described for in sections 304.180 to 304.220, RSMo;

(28) "Local transit bus", a bus whose operations are confined wholly within a municipal corporation, or wholly within a municipal corporation and a commercial zone, as defined in section 390.020, RSMo, adjacent thereto, forming a part of a public transportation system within such municipal corporation and such municipal corporation and adjacent commercial zone;

(29) "Log truck", a vehicle which is not a local log truck or local log truck tractor and is used exclusively to transport harvested forest products to and from forested sites which is registered pursuant to this chapter to operate as a motor vehicle on the public highways of this state for the transportation of harvested forest products;

(30) "Major component parts", the rear clip, cowl, frame, body, cab, front-end assembly, and front clip, as those terms are defined by the director of revenue pursuant to rules and regulations or by illustrations;

(31) "Manufacturer", any person, firm, corporation or association engaged in the business of manufacturing or assembling motor vehicles, trailers or vessels for sale;

(32) "Mobile scrap processor", a business located in Missouri or any other state that comes onto a salvage site and crushes motor vehicles and parts for transportation to a shredder or scrap metal operator for recycling;

(33) "Motor change vehicle", a vehicle manufactured prior to August, 1957, which receives a new, rebuilt or used engine, and which used the number stamped on the original engine as the vehicle identification number;

(34) "Motor vehicle", any self-propelled vehicle not operated exclusively upon tracks, except farm tractors;

(35) "Motor vehicle primarily for business use", any vehicle other than a recreational motor vehicle, motorcycle, motortricycle, or any commercial motor vehicle licensed for over twelve thousand pounds:

(a) Offered for hire or lease; or

(b) The owner of which also owns ten or more such motor vehicles;

(36) "Motorcycle", a motor vehicle operated on two wheels;

(37) "Motorized bicycle", any two-wheeled or three-wheeled device having an automatic transmission and a motor with a cylinder capacity of not more than fifty cubic centimeters, which produces less than three gross brake horsepower, and is capable of propelling the device at a maximum speed of not more than thirty miles per hour on level ground;

(38) "Motortricycle", a motor vehicle operated on three wheels, including a motorcycle while operated with any conveyance, temporary or otherwise, requiring the use of a third wheel. A motortricycle shall not be included in the definition of all-terrain vehicle;

(39) "Municipality", any city, town or village, whether incorporated or not;

(40) "Nonresident", a resident of a state or country other than the state of Missouri;

(41) "Non-USA-std motor vehicle", a motor vehicle not originally manufactured in compliance with United States emissions or safety standards;

(42) "Operator", any person who operates or drives a motor vehicle;

(43) "Owner", any person, firm, corporation or association, who holds the legal title to a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this law;

(44) "Public garage", a place of business where motor vehicles are housed, stored, repaired, reconstructed or repainted for persons other than the owners or operators of such place of business;

(45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned by the rebuilder, but does not include certificated common or contract carriers of persons or property;

(46) "Reconstructed motor vehicle", a vehicle that is altered from its original construction by the addition or substitution of two or more new or used major component parts, excluding motor vehicles made from all new parts, and new multistage manufactured vehicles;

(47) "Recreational motor vehicle", any motor vehicle designed, constructed or substantially modified so that it may be used and is used for the purposes of temporary housing quarters, including therein sleeping and eating facilities which are either permanently attached to the motor vehicle or attached to a unit which is securely attached to the motor vehicle. Nothing herein shall prevent any motor vehicle from being registered as a commercial motor vehicle if the motor vehicle could otherwise be so registered;

(48) "Rollback or car carrier", any vehicle specifically designed to transport wrecked, disabled or otherwise inoperable vehicles, when the transportation is directly connected to a wrecker or towing service;

(49) "Saddlemount combination", a combination of vehicles in which a truck or truck tractor tows one or more trucks or truck tractors, each connected by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle" is a mechanism that connects the front axle of the towed vehicle to the frame or fifth wheel of the vehicle in front and functions like a fifth wheel kingpin connection. When two vehicles are towed in this manner the combination is called a "double saddlemount combination". When three vehicles are towed in this manner, the combination is called a "triple saddlemount combination";

(50) "Salvage dealer and dismantler", a business that dismantles used motor vehicles for the sale of the parts thereof, and buys and sells used motor vehicle parts and accessories;

(51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

(a) Was damaged during a year that is no more than six years after the manufacturer's model year designation for such vehicle to the extent that the total cost of repairs to rebuild or reconstruct the vehicle to its condition immediately before it was damaged for legal operation on the roads or highways exceeds eighty percent of the fair market value of the vehicle immediately preceding the time it was damaged;

(b) By reason of condition or circumstance, has been declared salvage, either by its owner, or by a person, firm, corporation, or other legal entity exercising the right of security interest in it;

(c) Has been declared salvage by an insurance company as a result of settlement of a claim;

(d) Ownership of which is evidenced by a salvage title; or

(e) Is abandoned property which is titled pursuant to section 304.155, RSMo, or section 304.157, RSMo, and designated with the words "salvage/abandoned property".

The total cost of repairs to rebuild or reconstruct the vehicle shall not include the cost of repairing, replacing, or reinstalling inflatable safety restraints, tires, sound systems, or damage as a result of hail, or any sales tax on parts or materials to rebuild or reconstruct the vehicle. For purposes of this definition, "fair market value" means the retail value of a motor vehicle as:



a. Set forth in a current edition of any nationally recognized compilation of retail values, including automated databases, or from publications commonly used by the automotive and insurance industries to establish the values of motor vehicles;

b. Determined pursuant to a market survey of comparable vehicles with regard to condition and equipment; and

c. Determined by an insurance company using any other procedure recognized by the insurance industry, including market surveys, that is applied by the company in a uniform manner;

(52) "School bus", any motor vehicle used solely to transport students to or from school or to transport students to or from any place for educational purposes;

(53) "Shuttle bus", a motor vehicle used or maintained by any person, firm, or corporation as an incidental service to transport patrons or customers of the regular business of such person, firm, or corporation to and from the place of business of the person, firm, or corporation providing the service at no fee or charge. Shuttle buses shall not be registered as buses or as commercial motor vehicles;

(54) "Special mobile equipment", every self-propelled vehicle not designed or used primarily for the transportation of persons or property and incidentally operated or moved over the highways, including farm equipment, implements of husbandry, road construction or maintenance machinery, ditch-digging apparatus, stone crushers, air compressors, power shovels, cranes, graders, rollers, well-drillers and wood-sawing equipment used for hire, asphalt spreaders, bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines, motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag lines, concrete pump trucks, rock-drilling and earth-moving equipment. This enumeration shall be deemed partial and shall not operate to exclude other such vehicles which are within the general terms of this section;

(55) "Specially constructed motor vehicle", a motor vehicle which shall not have been originally constructed under a distinctive name, make, model or type by a manufacturer of motor vehicles. The term specially constructed motor vehicle includes kit vehicles;

(56) "Stinger-steered combination", a truck tractor-semitrailer wherein the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit;

(57) "Tandem axle", a group of two or more axles, arranged one behind another, the distance between the extremes of which is more than forty inches and not more than ninety-six inches apart;

(58) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor vehicle designed for drawing other vehicles, but not for the carriage of any load when operating independently. When attached to a semitrailer, it supports a part of the weight thereof;

(59) "Trailer", any vehicle without motive power designed for carrying property or passengers on its own structure and for being drawn by a self-propelled vehicle, except those running exclusively on tracks, including a semitrailer or vehicle of the trailer type so designed and used in conjunction with a self-propelled vehicle that a considerable part of its own weight rests upon and is carried by the towing vehicle. The term "trailer" shall not include cotton trailers as defined in subdivision (8) of this section and shall not include manufactured homes as defined in section 700.010, RSMo;

(60) "Truck", a motor vehicle designed, used, or maintained for the transportation of property;

(61) "Truck-tractor semitrailer-semitrailer", a combination vehicle in which the two trailing units are connected with a B-train assembly which is a rigid frame extension attached to the rear frame of a first semitrailer which allows for a fifth-wheel connection point for the second semitrailer and has one less articulation point than the conventional "A dolly" connected truck-tractor semitrailer-trailer combination;

(62) "Truck-trailer boat transporter combination", a boat transporter combination consisting of a straight truck towing a trailer using typically a ball and socket connection with the trailer axle located substantially at the trailer center of gravity rather than the rear of the trailer but so as to maintain a downward force on the trailer tongue;

(63) "Used parts dealer", a business that buys and sells used motor vehicle parts or accessories, but not including a business that sells only new, remanufactured or rebuilt parts. "Business" does not include isolated sales at a swap meet of less than three days;

(64) **"Utility vehicle", any motorized vehicle manufactured and used exclusively for off-highway use which is sixty-three inches or less in width, with an unladen dry weight of one thousand eight hundred fifty pounds or less, traveling on four or six wheels, to be used primarily for landscaping, lawn care, or maintenance purposes;**

(65) "Vanpool", any van or other motor vehicle used or maintained by any person, group, firm, corporation, association, city, county or state agency, or any member thereof, for the transportation of not less than eight nor more than forty-eight employees, per motor vehicle, to and from their place of employment; however, a vanpool shall not be included in the definition of the term "bus" or "commercial motor vehicle" as defined by subdivisions (6) and (7) of this

section, nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by section 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing arrangements, recreational, personal, or maintenance uses constitute an unlicensed use of the motor vehicle, unless used for monetary profit other than for use in a ride-sharing arrangement;

[(65)] (66) "Vehicle", any mechanical device on wheels, designed primarily for use, or used, on highways, except motorized bicycles, vehicles propelled or drawn by horses or human power, or vehicles used exclusively on fixed rails or tracks, or cotton trailers or motorized wheelchairs operated by handicapped persons;

[(66)] (67) "Wrecker" or "tow truck", any emergency commercial vehicle equipped, designed and used to assist or render aid and transport or tow disabled or wrecked vehicles from a highway, road, street or highway rights-of-way to a point of storage or repair, including towing a replacement vehicle to replace a disabled or wrecked vehicle;

[(67)] (68) "Wrecker or towing service", the act of transporting, towing or recovering with a wrecker, tow truck, rollback or car carrier any vehicle not owned by the operator of the wrecker, tow truck, rollback or car carrier for which the operator directly or indirectly receives compensation or other personal gain."; and

Further amend said bill, Page 30, Section 304.015, Line 69, by inserting after all of said line the following:

**"304.032. 1. No person shall operate a utility vehicle, as defined in section 301.010, RSMo, upon the highways of this state, except as follows:**

- (1) Utility vehicles owned and operated by a governmental entity for official use;
- (2) Utility vehicles operated for agricultural purposes or industrial on-premises purposes between the official sunrise and sunset on the day of operation, unless equipped with proper lighting;
- (3) Utility vehicles operated by handicapped persons for short distances occasionally only on the state's secondary roads when operated between the hours of sunrise and sunset;
- (4) Governing bodies of cities may issue special permits for utility vehicles to be used on highways within the city limits by licensed drivers. Fees of fifteen dollars may be collected and retained by cities for such permits;
- (5) Governing bodies of counties may issue special permits for utility vehicles to be used on county roads within the county by licensed drivers. Fees of fifteen dollars may be collected and retained by the counties for such permits.

2. No person shall operate a utility vehicle within any stream or river in this state, except that utility vehicles may be operated within waterways which flow within the boundaries of land which a utility vehicle operator owns, or for agricultural purposes within the boundaries of land which a utility vehicle operator owns or has permission to be upon, or for the purpose of fording such stream or river of this state at such road crossings as are customary or part of the highway system. All law enforcement officials or peace officers of this state and its political subdivisions or department of conservation agents or department of natural resources park rangers shall enforce the provisions of this subsection within the geographic area of their jurisdiction.

3. A person operating a utility vehicle on a highway pursuant to an exception covered in this section shall have a valid operator's or chauffeur's license, except that a handicapped person operating such vehicle under subdivision (3) of subsection 1 of this section, but shall not be required to have passed an examination for the operation of a motorcycle, and the vehicle shall be operated at speeds of less than forty-five miles per hour.

4. No persons shall operate a utility vehicle:

- (1) In any careless way so as to endanger the person or property of another; or
- (2) While under the influence of alcohol or any controlled substance.

5. No operator of a utility vehicle shall carry a passenger, except for agricultural purposes. The provisions of this subsection shall not apply to any utility vehicle in which the seat of such vehicle is designed to carry more than one person.

6. A violation of this section shall be a class C misdemeanor. In addition to other legal remedies, the attorney general or county prosecuting attorney may institute a civil action in a court of competent jurisdiction for injunctive relief to prevent such violation or future violations and for the assessment of a civil penalty not to exceed one thousand dollars per day of violation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative LeVota raised a point of order that **House Amendment No. 8** goes beyond the scope of the bill.

Representative Stevenson requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Speaker Jetton resumed the Chair.

On motion of Representative Wells, **House Amendment No. 8** was adopted.

Representative Hobbs offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 577.023, Page 48, Line 112, by inserting immediately after said line the following:

**"Section 1. The portion of state highway Business Route 54 within Audrain County which is located within the city limits of Mexico shall be designated as the "Christopher S. 'Kit' Bond Highway".";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Darrough raised a point of order that **House Amendment No. 9** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Yates offered **House Amendment No. 1 to House Amendment No. 9**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 9*

AMEND House Amendment No. 9 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 1, Line 5, by inserting immediately after said line the following:

"Further amend said substitute, said page, said line, by inserting immediately after said line the following:

**'Section 2. The Adams Dairy Parkway bridge crossing Interstate 70 within the city limits of Blue Springs in this state shall be known the "Honorable Don Lograsso Freedom Bridge". All signs signifying the name of the overpass shall be paid by the honoree.';** and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Yates moved that **House Amendment No. 1 to House Amendment No. 9** be adopted.

Which motion was defeated by the following vote:

AYES: 062

Bivins	Brandom	Burnett	Casey	Cooper 120
Cox	Cunningham 145	Cunningham 86	Curls	Day
Denison	Dougherty	Dusenberg	Fares	Fisher
Franz	Funderburk	Hobbs	Holsman	Hubbard
Jones 89	Jones 117	Kasten	Kelly	Kingery

Kraus	LeVota	Liese	Marsh	May
Meiners	Moore	Munzlinger	Nance	Nasheed
Onder	Parkinson	Pearce	Pratt	Quinn 7
Robb	Schaaf	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Smith 14	Stevenson	St. Onge
Storch	Sutherland	Talboy	Thomson	Tilley
Viebrock	Wallace	Wells	Weter	Wright 159
Yates	Mr Speaker			

NOES: 077

Aull	Baker 25	Bringer	Brown 30	Brown 50
Bruns	Chappelle-Nadal	Cooper 155	Darrough	Daus
Davis	Deeken	Dethrow	Dixon	Donnelly
Emery	Ervin	Faith	Fallert	Flook
Frame	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hodges	Hoskins	Hughes
Icet	Johnson	Komo	Kratky	Kuessner
Lampe	Lembke	Lipke	Loehner	Low 39
Lowe 44	McClanahan	McGhee	Meadows	Muschany
Nieves	Nolte	Norr	Oxford	Page
Portwood	Quinn 9	Roorda	Ruzicka	Sater
Scavuzzo	Schad	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 150	Stream	Todd
Villa	Vogt	Walton	Wasson	Whorton
Wildberger	Wilson 119	Witte	Wood	Yaeger
Zimmerman	Zweifel			

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 021

Avery	Baker 123	Bland	Corcoran	El-Amin
Haywood	Hunter	Parson	Pollock	Richard
Robinson	Rucker	Ruestman	Salva	Sander
Spreng	Swinger	Walsh	Wilson 130	Wright-Jones
Young				

VACANCIES: 002

On motion of Representative Hobbs, **House Amendment No. 9** was adopted.

Representative St. Onge offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 25, Section 302.720, Line 98, by inserting after all of said line the following:

**"5. Notwithstanding the provisions of this section or any other law to the contrary, beginning August 28, 2008, the director of the department of revenue shall certify as a third-party tester any municipality that owns, leases, or maintains its own fleets that requires certain employees as a condition of employment to hold a valid commercial driver's license; and that administered in-house testing to such employees prior to August 28, 2006.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 10** was adopted.

Representative Roorda offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 227.396, Page 12, Line 4, by inserting after all of said section the following:

**"227.397. The portion of Interstate 55 in Jefferson County from the intersection of highway M to a point one mile south shall be designated the "Jeff McBride Memorial Highway". The department of transportation shall erect and maintain appropriate signs designating such highway, with the costs to be paid for by private donations.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Stevenson offered **House Amendment No. 1 to House Amendment No. 11**.

*House Amendment No. 1*

*to*

*House Amendment No. 11*

AMEND House Amendment No. 11 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 1, Section 227.397, Line 6, by inserting after all of said section the following:

Further amend bill, Page 12, Section 227.400, Line 4, by inserting after all of said line the following:

"233.155. 1. Whenever the inhabitants of any special road district already formed under sections 233.010 to 233.165 shall desire to extend the boundaries of such district to take in territory not included in the original district, and shall present a petition to the county commission of the county in which such district is located, or if the proposed district is to include portions of more than one county, then to the county commissions of each of such counties, signed by not less than thirty-five voters in the old district and not less than fifty percent of the voters in the territory proposed to be taken into said district, asking the county commission or commissions of such county or counties to submit the proposition of the proposed extension of such road district to a vote of the people of such proposed district for their adoption or rejection, the county commission of such county, or if the proposed district shall include parts of more than one county, the county commissions of all such counties, shall each make an order of record that the proposed extension of said road district under the provisions of this section, describing the same by its title and the date of its approval, and describing the boundaries of the district as proposed to be extended, be submitted to the voters of such proposed road district.

2. The question shall be submitted in substantially the following form:

Shall the special road district be extended?

3. If the territory of more than one county be included in said special road district, the county commission of each county in said district shall, as soon as the returns are in from said election, cause a certificate to be made out stating the number of votes cast for and against said proposition in said county, and cause such certificate to be filed with the county clerk of the county commission of every other county which shall form a part of said special road district. If it shall appear from the returns of said county and from said certificate that a majority of the votes cast upon the proposition in the whole proposed district be in favor of the extension of said road district, the county commission or county commissions in said proposed district shall declare the result of the vote thereon in said proposed district by an order of record, and shall make an order of record that the above specified road district laws shall extend to and be the law in such special road district, including the extension thereof, setting out the boundaries of said district as extended, the same to take effect and be in force from and after a day to be named in such order, said day to be not more than twenty days after said election.

4. If any territory added to any such original district be in any county outside of the county of such original district, each county outside of such original district may appoint one road commissioner to act with the commissioners appointed in the county of the original district. Such commissioners so appointed outside of the county of the original district shall serve for a term of three years from the date of such appointment, and until their successors shall be appointed and qualified. Such commissioners shall be voters of such added territory in such county of their appointment. Except as herein provided, such commissioners shall be governed by sections 233.010 to 233.165. No change shall be made in the number of commissioners appointed by the county of the original district or in the manner of their appointment. **In any special road district located in two counties with an additional fourth commissioner appointed by the county outside of the original district as provided in this subsection, a fifth commissioner may be appointed by the same county that appointed the fourth commissioner. Except as herein provided, a fifth commissioner shall be governed by sections 233.010 to 233.165, shall serve for a term of three years from the date of the appointment and until the fifth commissioner's successor shall be appointed and qualified, and shall be a voter of the county of appointment.**

5. If a majority of the votes of the proposed district, as extended, be cast in favor of such extension, then the territory of such district, as extended, shall be governed by sections 233.010 to 233.165. But if such extension proposition shall not receive a majority of the votes of said district, as extended, then said special road district shall remain as it was before said petition was filed. Any special road district extended under the provisions of this section may be extended so that after such extension it shall not be more than seventeen miles square."'; and ' and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Skaggs raised points of order that **House Amendment No. 1 to House Amendment No. 11** goes beyond the scope of the underlying amendment and is not properly drafted.

The Chair ruled the points of order not well taken.

On motion of Representative Stevenson, **House Amendment No. 1 to House Amendment No. 11** was adopted.

On motion of Representative Roorda, **House Amendment No. 11, as amended**, was adopted.

Representative Nance offered **House Amendment No. 12**.

#### *House Amendment No. 12*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 302.177, Page 23, Line 56, by inserting immediately after said line the following:

"302.341. **1.** If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which [he] **the resident** is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against [him] **the resident** for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside

the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall reinstate the license. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

2. If any city, town, or village receives more than [forty-five] **thirty-five** percent of its [total] annual **general operating** revenue from fines **and court costs** for traffic violations occurring on state highways, all revenues from such violations in excess of [forty-five] **thirty-five** percent of the [total] annual **general operating** revenue of the city, town, or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. **If any city, town, or village fails to send such excess revenues to the director of the department of revenue in a timely fashion which shall be set forth by the director by rule, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.**

3. Subsection 2 of this section shall not apply before January 1, 2010, to any city, town, or village located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 12** was adopted.

Representative Hobbs offered **House Amendment No. 13**.

#### *House Amendment No. 13*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 302.177, Page 23, Line 56, by inserting immediately after said line the following:

"302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or other comparable material. All licenses shall be manufactured of materials and processes that will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license without ready detection. All licenses shall bear the licensee's Social Security number, if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the licensee does not possess a Social Security number, or, if applicable, a certified statement must be submitted as provided in subsection 4 of this section. The license shall also bear the expiration date of the license, the classification of the license, the name, date of birth, residence address including the county of residence or a code number corresponding to such county established by the department, and brief description and colored photograph or digitized image of the licensee, and a facsimile of the signature of the licensee. The director shall provide by administrative rule the procedure and format for a licensee to indicate on the back of the license together with the designation for an anatomical gift as provided in section 194.240, RSMo, the name and address of the person designated pursuant to sections 404.800 to 404.865, RSMo, as the licensee's attorney in fact for the purposes of a durable power of attorney for health care decisions. No license shall be valid until it has been so signed by the licensee. If any portion of the license is prepared by a private firm, any contract with such firm shall be made in accordance with the competitive purchasing procedures as established by the state director of the division of purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the licensee has no Social

Security number, or where the licensee is issued a license without a Social Security number in accordance with subsection 4 of this section, the director shall issue a license number for the licensee and such number shall also include an indicator showing that the number is not a Social Security number.

2. All film involved in the production of photographs for licenses shall become the property of the department of revenue.

3. The license issued shall be carried at all times by the holder thereof while driving a motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police officer or peace officer, or any other duly authorized person, for inspection when demand is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

4. The director of revenue shall issue a commercial or noncommercial driver's license without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed, upon presentation to the director of a certified statement that the applicant objects to the display of the Social Security number on the license. The director shall assign an identification number, that is not based on a Social Security number, to the applicant which shall be displayed on the license in lieu of the Social Security number.

5. The director of revenue shall not issue a license without a facial photograph or digital image of the license applicant, except as provided pursuant to subsection 8 of this section. A photograph or digital image of the applicant's full facial features shall be taken in a manner prescribed by the director. No photograph or digital image will be taken wearing anything which cloaks the facial features of the individual.

6. The department of revenue may issue a temporary license or a full license without the photograph or with the last photograph or digital image in the department's records to members of the armed forces, except that where such temporary license is issued it shall be valid only until the applicant shall have had time to appear and have his or her picture taken and a license with his or her photograph issued.

7. The department of revenue shall issue upon request a nondriver's license card containing essentially the same information and photograph or digital image, except as provided pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's license card. The nondriver's license card shall be used for identification purposes only and shall not be valid as a license.

8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license without a photograph or digital image of the applicant's full facial features except that such applicant's photograph or digital image shall be taken and maintained by the director and not printed on such license. In order to qualify for a license without a photograph or digital image pursuant to this section the applicant must:

(1) Present a form provided by the department of revenue requesting the applicant's photograph be omitted from the license or nondriver's license due to religious affiliations. The form shall be signed by the applicant and another member of the religious tenant verifying the photograph or digital image exemption on the license or nondriver's license is required as part of their religious affiliation. The required signatures on the prescribed form shall be properly notarized;

(2) Provide satisfactory proof to the director that the applicant has been a U.S. citizen for at least five years and a resident of this state for at least one year, except that an applicant moving to this state possessing a valid driver's license from another state without a photograph, shall be exempt from the one-year state residency requirement. The director may establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this section;

(3) Applications for a driver's license or nondriver's license without a photograph or digital image must be made in person at a license office determined by the director. The director is authorized to limit the number of offices that may issue a driver's or nondriver's license without a photograph or digital image pursuant to this section.

9. The department of revenue shall make available, at one or more locations within the state, an opportunity for individuals to have their full facial photograph taken by an employee of the department of revenue, or their designee, who is of the same sex as the individual being photographed, in a segregated location.

**10. An applicant who desires to receive a driver's license or nondriver's license without a photograph under subsection 8 of this section may receive such a driver's license or nondriver's license without having his or her photograph or digital image taken and maintained by the director provided that the applicant:**

**(1) Complies with all of the provisions of subsection 8 of this section except for the provision requiring the applicant's photograph or digital image be taken and maintained by the director;**

**(2) Submits a set of fingerprints in a format prescribed by the director upon application for the driver's license or nondriver's license. The fingerprints shall be maintained by the director in a manner prescribed by**



the director and shall be accessible to the Missouri highway patrol and other law enforcement officers as established by rule. The applicant shall pay a twenty five dollar fee for the submission of such fingerprints; and

(3) Presents evidence satisfactory to the director that the applicant is exempt from paying social security and Medicare taxes because the applicant is a member of a recognized religious group that:

(a) Has existed continuously since December 31, 1950;

(b) Conscientiously opposes accepting benefits of any private or public insurance that makes payments in the event of death, disability, old age, or retirement or that makes payments for the cost of medical care or provides services for medical care including the benefits of any insurance system established by the social security act and Medicare benefits; and

(c) Provides a reasonable level of living for its dependent members.

For purposes of this subdivision, a Form 4029, or a copy thereof, approved by the Internal Revenue Service shall be considered satisfactory evidence.

11. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's license for a period that exceeds an applicant's lawful presence in the United States. The director may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and establish the duration of any driver's license or nondriver's license issued under this section.

[11.] 12. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall become effective unless it is promulgated pursuant to the provisions of chapter 536, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Yates offered **House Amendment No. 1 to House Amendment No. 13.**

*House Amendment No. 1*

*to*

*House Amendment No. 13*

AMEND House Amendment No. 13 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 302.181, Page 5, Line 2 of said amendment, by inserting after all of said line the following:

"(4) Applicants of this subsection shall not be charged with a ticket as a result of a red-light camera violation."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nolte assumed the Chair.

Representative Lampe raised a point of order that **House Amendment No. 1 to House Amendment No. 13** goes beyond the scope of the bill.

Speaker Pro Tem Pratt assumed the Chair.

The Chair ruled the point of order not timely.

Representative Portwood offered **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 13.**

Representative Darrough raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 13** goes beyond the scope of the amendment and is not a true substitute amendment for the amendment.

**House Substitute Amendment No. 1 for House Amendment No. 1 to House Amendment No. 13** was withdrawn.

Speaker Jetton resumed the Chair.

Representative Nolte resumed the Chair.

On motion of Representative Yates, **House Amendment No. 1 to House Amendment No. 13** was adopted.

On motion of Representative Hobbs, **House Amendment No. 13, as amended**, was adopted.

Representative Ervin offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 304.015, Page 30, Line 69, by inserting the following after all of said line:

"304.130. 1. For the purpose of promoting the public safety, health and general welfare and to protect life and property, the county commission in all counties of the first class, is empowered to adopt, by order or ordinance, regulations to control vehicular traffic upon the public roads and highways in the unincorporated territory of such counties and to establish reasonable speed regulations in congested areas upon such public roads and highways in the unincorporated territory of such counties. Such regulations shall not be inconsistent with the provisions of the general motor vehicle laws of this state.

2. **Except as provided in subsection 3 of this section**, before the adoption of such regulations, the county commission shall hold at least three public hearings thereon, fifteen days' notice of the time and place of which shall be published in at least two newspapers having a general circulation within the county, and notice of such hearing shall also be posted at least fifteen days in advance thereof in four conspicuous places in the county; provided, however, that any regulations respecting stop signs, signal lights and speed limits on state or federal highways shall be approved by the state highways and transportation commission before the same shall become effective.

3. **Regulations relating solely to increasing speed limits shall be exempt from the procedural requirements of subsection 2 of this section and shall take effect immediately upon approval of the county commission.**

4. The regulations adopted shall be codified, printed and distributed for public use; provided, however, that adequate signs displaying the speed limit must be posted along the highways at the points along such highways where such speed limits begin and end."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ervin, **House Amendment No. 14** was adopted.

Representative Pratt offered **House Amendment 15**.

*House Amendment No. 15*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 45, Section 390.372, Line 24, by inserting after all of said line the following:

"**565.076. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the first degree if such person attempts to kill or knowingly causes or attempts to cause serious physical injury to an employee of a mass transit system while in the scope of his or her duties.**

2. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system in the first degree is a class B felony.

565.077. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to an employee of a mass transit system while in the scope of his or her duties; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties;

(5) Acts with criminal negligence to cause physical injury to an employee of a mass transit system while in the scope of his or her duties by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to an employee of a mass transit system while in the scope of his or her duties.

2. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the second degree is a class C felony unless committed under subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class B felony.

565.078. 1. A person commits the crime of assault of an employee of a mass transit system while in the scope of his or her duties in the third degree if:

(1) Such person recklessly causes physical injury to an employee of a mass transit system while in the scope of his or her duties;

(2) Such person purposely places an employee of a mass transit system while in the scope of his or her duties in apprehension of immediate physical injury;

(3) Such person knowingly causes or attempts to cause physical contact with an employee of a mass transit system while in the scope of his or her duties without the consent of the employee of the mass transit system.

2. As used in this section, "mass transit system", includes employees of public bus and light rail companies.

3. Assault of an employee of a mass transit system while in the scope of his or her duties in the third degree is a class B misdemeanor."; and

Further amend said title, enacting clause and intersectional references accordingly.

Representative LeVota raised a point of order that **House Amendment No. 15** goes beyond the scope of the bill.

Representative Nolte requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order not well taken.

Representative Viebrock offered **House Amendment No. 1** to **House Amendment No. 15**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 15*

AMEND House Amendment No. 15 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, by inserting in the correct place the following:

Further amend said bill, Page 12, Section 227.103, Line 15, by inserting after all of said line the following:

**"227.378. The Table Rock Lake bridge on Highway 39 in the census designated place with more than one thousand three hundred but fewer than one thousand four hundred inhabitants and partially located in any county of the third classification without a township form of government and with more than thirty-four thousand but fewer than thirty-four thousand one hundred inhabitants shall be designated the "State Senator Larry Gene Taylor Memorial Bridge"."; and "; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Viebrock, **House Amendment No. 1 to House Amendment No. 15** was adopted.

On motion of Representative Pratt, **House Amendment No. 15, as amended**, was adopted.

Representative Bringer offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 302.171, Page 21, Line 96, by inserting after "9." the following:

**"Notwithstanding any provision of this chapter, for the renewal of a noncommercial driver's license, noncommercial instruction permit, or nondriver's license, a photocopy of an applicant's birth certificate along with another form of identification approved by the department of revenue, including, but not limited to, United States military identification or United States military discharge papers, shall constitute sufficient proof of lawful presence.**

**10."; and**

Further amend said section and page, Line 97, by inserting "**or 9**" after "8"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 16** was adopted by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fisher	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins

Hubbard	Hughes	Icet	Johnson	Jones 89
Jones 117	Kasten	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruzicka
Sater	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Viebrock	Villa
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 011

Cooper 120	Deeken	Fares	Franz	Kelly
McGhee	Parson	Schad	Stevenson	St. Onge
Tilley				

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Bland	Corcoran	El-Amin	Haywood
Hunter	Moore	Pollock	Robinson	Rucker
Ruestman	Salva	Sander	Spreng	Vogt
Walsh	Wilson 130	Wright-Jones		

VACANCIES: 002

## Representative Frame offered **House Amendment No. 17.**

### *House Amendment No. 17*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 33, Section 304.180, Line 118, by inserting at the end of said line:

**"The additional weight increase allowed under this subsection shall only be applicable if the idle reduction technology is manufactured in the United States.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Frame, **House Amendment No. 17** was adopted by the following vote:

AYES: 117

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cox	Cunningham 145	Cunningham 86	Curls

Darrough	Daus	Davis	Denison	Dixon
Donnelly	Dougherty	Dusenberg	Ervin	Fallert
Fares	Fisher	Frame	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Jones 89	Jones 117	Kasten
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	McClanahan	Meadows
Meiners	Munzlinger	Nance	Nasheed	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Roorda	Ruzicka	Salva
Scavuzzo	Schaaf	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 150	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Wasson	Whorton	Wildberger	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 023

Cooper 155	Day	Deeken	Dethrow	Emery
Faith	Flook	Franz	Icet	Kelly
May	McGhee	Muschany	Nieves	Robb
Sater	Schad	Scharnhorst	Smith 14	Stevenson
Wells	Weter	Wilson 119		

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Bland	Burnett	Cooper 120	Corcoran
El-Amin	Haywood	Hunter	Lowe 44	Moore
Pollock	Robinson	Rucker	Ruestman	Sander
Spreng	Vogt	Walsh	Walton	Wilson 130
Wright-Jones				

VACANCIES: 002

Representative Talboy offered **House Amendment No. 18.**

*House Amendment No. 18*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 15, Section 301.130, Line 107, by inserting after said line the following:

"302.020. 1. Unless otherwise provided for by law, it shall be unlawful for any person, except those expressly exempted by section 302.080, to:

(1) Operate any vehicle upon any highway in this state unless the person has a valid license;

(2) Operate a motorcycle or motortricycle upon any highway of this state unless such person has a valid license that shows the person has successfully passed an examination for the operation of a motorcycle or motortricycle as prescribed by the director. The director may indicate such upon a valid license issued to such person, or shall issue a license restricting the applicant to the operation of a motorcycle or motortricycle if the actual demonstration, required by section 302.173, is conducted on such vehicle;

(3) Authorize or knowingly permit a motorcycle or motortricycle owned by such person or under such person's control to be driven upon any highway by any person whose license does not indicate that the person has passed the examination for the operation of a motorcycle or motortricycle or has been issued an instruction permit therefor;

(4) Operate a motor vehicle with an instruction permit or license issued to another person.

**2. Every person operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, RSMo, upon any federal interstate highway shall wear protective headgear at all times the vehicle is in motion, regardless of such person's age. The provisions of this subsection shall expire August 28, 2013.**

**3. Every person who is under twenty-one years of age** operating or riding as a passenger on any motorcycle or motortricycle, as defined in section 301.010, RSMo, upon any highway of this state shall wear protective headgear at all times the vehicle is in motion. The protective headgear shall meet reasonable standards and specifications established by the director.

[3.]**4.** Notwithstanding the provisions of section 302.340 any person convicted of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class A misdemeanor. Any person convicted a third or subsequent time of violating subdivision (1) or (2) of subsection 1 of this section is guilty of a class D felony. Notwithstanding the provisions of section 302.340, violation of subdivisions (3) and (4) of subsection 1 of this section is a class C misdemeanor and the penalty for failure to wear protective headgear as required by subsection 2 of this section is an infraction for which a fine not to exceed twenty-five dollars may be imposed. Notwithstanding all other provisions of law and court rules to the contrary, no court costs shall be imposed upon any person due to such violation. No points shall be assessed pursuant to section 302.302 for a failure to wear such protective headgear."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Talboy, **House Amendment No. 18** was adopted.

Representative Meiners offered **House Amendment No. 19.**

*House Amendment No. 19*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 301.130, Page 15, Line 107, by inserting after all of said line the following:

**"301.571. 1. For purposes of this section, the following terms mean:**

**(1) "Mobility motor vehicle", a motor vehicle that is designed and equipped to transport a person with a disability and:**

**(a) Contains a lowered floor or lowered frame, or a raised roof and raised door;**

**(b) Contains an electronic or mechanical wheelchair, scooter, or platform lift that enables a person to enter or exit the vehicle while occupying a wheelchair or scooter; an electronic or mechanical wheelchair ramp; or a system to secure a wheelchair or scooter to allow for a person to be safely transported while occupying the wheelchair or scooter; and**

**(c) Is installed as an integral part or permanent attachment to the motor vehicle chassis;**

**(2) "Mobility motor vehicle dealer", a dealer who is licensed as a new or used motor vehicle dealer under this chapter who is engaged in the business of buying, selling, or exchanging mobility motor vehicles and servicing or repairing mobility motor vehicles at an established and permanent place of business.**

**2. Notwithstanding any other law, a mobility motor vehicle dealer may:**

**(1) Purchase or otherwise acquire a new motor vehicle from a franchised dealer to fit or equip the motor vehicle for retail sale as a mobility motor vehicle;**

**(2) Display a new motor vehicle to a person with a disability to fit or equip the vehicle as a mobility motor vehicle for the person; or**

**(3) Resell a new motor vehicle that has been fitted or equipped as a new mobility motor vehicle without the resale occurring through or by a franchised dealer.**

**3. A mobility motor vehicle dealer who purchased or acquired a new motor vehicle from a franchised dealer to equip the vehicle as a mobility vehicle shall not advertise the vehicle for resale until the vehicle is fitted or equipped as a mobility motor vehicle.**

**4. A mobility motor vehicle dealer shall not, except as permitted by subdivision (2) of subsection 2 of this section, display or offer to display a new motor vehicle that is not a mobility motor vehicle to the public.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Meiners, **House Amendment No. 19** was adopted.

Representative Lampe offered **House Amendment No. 20**.

*House Amendment No. 20*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 30, Section 304.015, Line 69, by inserting after all of said line the following:

**"304.034. 1. Notwithstanding any other law to the contrary, a neighborhood electric vehicle may be operated only upon a street or highway for which the posted speed limit is thirty-five miles per hour or less. A neighborhood electric vehicle may cross a road or street at an intersection where the road or street has a posted speed limit of more than thirty-five miles per hour. For purposes of this section, "neighborhood electric vehicle" means a vehicle subject to the federal motor vehicle safety standards in 49 CFR 571.500.**

**2. A county or municipality may prohibit the operation of a neighborhood electric vehicle on a street or highway if the governing body of the county or municipality determines that the prohibition is necessary in the interest of safety.**

**3. The department of transportation may prohibit the operation of a neighborhood electric vehicle on a highway if that department determines that the prohibition is necessary in the interest of safety.**

**4. The department of revenue may adopt rules relating to the registration and issuance of license plates to neighborhood electric vehicles. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Lampe, **House Amendment No. 20** was adopted by the following vote:

AYES: 108

Aull	Baker 25	Brandom	Bringer	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cunningham 86	Curls	Darrough	Daus	Day
Dixon	Donnelly	Dougherty	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Kasten	Kingery	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lipke	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Munzlinger	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Pearce	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Ruzicka	Salva
Scavuzzo	Schaaf	Schieffer	Schlottach	Schneider



Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Wasson	Weter	Whorton	Wildberger	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 030

Baker 123	Bivins	Cooper 155	Cox	Cunningham 145
Davis	Deeken	Denison	Dethrow	Dusenberg
Emery	Ervin	Grisamore	Guest	Icet
Jones 89	Jones 117	Kelly	Kraus	Lembke
Loehner	Muschany	Portwood	Sater	Schad
Scharnhorst	Stevenson	Thomson	Wells	Wilson 119

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Bland	Cooper 120	Corcoran	El-Amin
Haywood	Hunter	Lowe 44	Meadows	Moore
Nasheed	Parson	Pollock	Robinson	Rucker
Ruestman	Sander	Spreng	Vogt	Walsh
Walton	Wilson 130	Wright-Jones		

VACANCIES: 002

## Representative Pearce offered **House Amendment No. 21.**

### *House Amendment No. 21*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 12, Section 227.400, Line 4, by inserting after all of said line the following:

- "238.202. 1. As used in sections 238.200 to 238.275, the following terms mean:
- (1) "Board", the board of directors of a district;
  - (2) "Commission", the Missouri highways and transportation commission;
  - (3) "District", a transportation development district organized under sections 238.200 to 238.275;
  - (4) "Local transportation authority", a county, city, town, village, county highway commission, special road district, interstate compact agency, or any local public authority or political subdivision having jurisdiction over any bridge, street, highway, dock, wharf, ferry, lake or river port, airport, railroad, light rail or other transit improvement or service;
  - (5) "Project" includes any bridge, street, road, highway, access road, interchange, intersection, signing, signalization, parking lot, bus stop, station, garage, terminal, hangar, shelter, rest area, dock, wharf, lake or river port, airport, railroad, light rail, or other mass transit and any similar or related improvement or infrastructure.
2. For the purposes of sections 11(c), 16 and 22 of article X of the Constitution of Missouri, section 137.073, RSMo, and as used in sections 238.200 to 238.275, the following terms shall have the meanings given:
- (1) "Approval of the required majority" or "direct voter approval", a simple majority;
  - (2) "Qualified electors", "qualified voters" or "voters"[.];
  - (a) Within [the] a proposed or established district, **except for a district proposed under subsection 1 of section 238.207**, any persons residing therein who have registered to vote pursuant to chapter 115, RSMo[, and]; **or**
  - (b) **Within a district proposed or established under subsection 1 of section 238.207 which has no persons residing therein who have registered to vote pursuant to chapter 115, RSMo**, the owners of **record of all** real property **located in the district**, who shall receive one vote per acre, provided that [any] **if a** registered voter [who also

owns property] **subsequent to the creation of the district becomes a resident within the district and obtains ownership of property within the district, such registered voter must elect whether to vote as an owner of real property or as a registered voter, which election once made cannot thereafter be changed;**

(3) "Registered voters", persons qualified and registered to vote pursuant to chapter 115, RSMo.

238.207. 1. Whenever the creation of a district is desired, not less than fifty registered voters from each county partially or totally within the proposed district may file a petition requesting the creation of a district. However, if no persons eligible to be registered voters reside within the district, the owners of record of all of the real property, except public streets, located within the proposed district may file a petition requesting the creation of a district. The petition shall be filed in the circuit court of any county partially or totally within the proposed district.

2. Alternatively, the governing body of any local transportation authority within any county in which a proposed project may be located may file a petition in the circuit court of that county, requesting the creation of a district.

3. The proposed district area shall be contiguous and may contain all or any portion of one or more municipalities and counties; provided:

(1) Property separated only by public streets, easements or rights-of-way shall be considered contiguous;

(2) In the case of a district formed pursuant to a petition filed by the owners of record of all of the real property located within the proposed district, the proposed district area need not contain contiguous properties if:

(a) The petition provides that the only funding method for project costs will be a sales tax;

(b) The court finds that all of the real property located within the proposed district will benefit by the projects to be undertaken by the district; and

(c) Each parcel within the district is within five miles of every other parcel; and

(3) In the case of a district created pursuant to subsection 5 of this section, property separated only by public streets, easements, or rights-of-way or connected by a single public street, easement, or right-of-way shall be considered contiguous.

4. The petition shall set forth:

(1) The name, voting residence and county of residence of each individual petitioner, or, if no persons eligible to be registered voters reside within the proposed district, the name and address of each owner of record of real property located within the proposed district, or shall recite that the petitioner is the governing body of a local transportation authority acting in its official capacity;

(2) The name and address of each respondent. Respondents must include the commission and each affected local transportation authority within the proposed district, except a petitioning local transportation authority;

(3) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(4) A general description of each project proposed to be undertaken by that district, including a description of the approximate location of each project;

(5) The estimated project costs and the anticipated revenues to be collected from the project;

(6) The name of the proposed district;

(7) The number of members of the board of directors of the proposed district, which shall be not less than five or more than fifteen;

(8) A statement that the terms of office of initial board members shall be staggered in approximately equal numbers to expire in one, two or three years;

(9) If the petition was filed by registered voters or by a governing body, a request that the question be submitted to the qualified voters within the limits of the proposed district whether they will establish a transportation development district to develop a specified project or projects;

(10) A proposal for funding the district initially, pursuant to the authority granted in sections 238.200 to 238.275, together with a request that the funding proposal be submitted to the qualified voters within the limits of the proposed district; provided, however, the funding method of special assessments may also be approved as provided in subsection 1 of section 238.230; and

(11) A statement that the proposed district shall not be an undue burden on any owner of property within the district and is not unjust or unreasonable.

5. (1) As an alternative to the methods described in subsections 1 and 2 of this section, if two or more local transportation authorities have adopted resolutions calling for the joint establishment of a district, the governing body of any one such local transportation authority may file a petition in the circuit court of any county in which the proposed project is located requesting the creation of a district; **or, if not less than fifty registered voters from each of two or more counties sign a petition calling for the joint establishment of a district for the purpose of developing a project that lies in whole or in part within those same counties, the petition may be filed in the circuit court of any of those counties in which not less than fifty registered voters have signed the petition.**

(2) The proposed district area shall be contiguous and may contain all or any portion of one or more municipalities and counties. Property separated only by public streets, easements, or rights-of-way or connected by a single public street, easement, or right-of-way shall be considered contiguous.

(3) The petition shall set forth:

(a) That the petitioner is the governing body of a local transportation authority acting in its official capacity; **or, if the petition was filed by obtaining the signatures of not less than fifty registered voters in each of two or more counties, it shall set forth the name, voting residence, and county of residence of each individual petitioner;**

(b) The name of each local transportation authority within the proposed district. The resolution of the governing body of each local transportation authority calling for the joint establishment of the district shall be attached to the petition;

(c) The name and address of each respondent. Respondents must include the commission and each affected local transportation authority within the proposed district, except a petitioning local transportation authority;

(d) A specific description of the proposed district boundaries including a map illustrating such boundaries;

(e) A general description of each project proposed to be undertaken by the district, including a description of the approximate location of each project;

(f) The name of the proposed district;

(g) The number of members of the board of directors of the proposed district;

(h) A request that the question be submitted to the qualified voters within the limits of the proposed district whether they will establish a transportation development district to develop the projects described in the petition;

(i) A proposal for funding the district initially, pursuant to the authority granted in sections 238.200 to 238.275, together with a request that the imposition of the funding proposal be submitted to the qualified voters residing within the limits of the proposed district; provided, however, the funding method of special assessments may also be approved as provided in subsection 1 of section 238.230; and

(j) A statement that the proposed district shall not be an undue burden on any owner of property within the district and is not unjust or unreasonable.

238.210. 1. Within thirty days after the petition is filed, the circuit court clerk shall serve a copy of the petition on the respondents who shall have thirty days after receipt of service to file an answer stating agreement with or opposition to the creation of the district. If any respondent files its answer opposing the creation of the district, it shall recite legal reasons why the petition is defective, why the proposed district is illegal or unconstitutional, or why the proposed method for funding the district is illegal or unconstitutional. The respondent shall ask the court for a declaratory judgment respecting these issues. The answer of each respondent shall be served on each petitioner and every other respondent named in the petition. Any resident, taxpayer, any other entity, or any local transportation authority within the proposed district may join in or file a petition supporting or answer opposing the creation of the district and seeking a declaratory judgment respecting these same issues within thirty days after the date notice is last published by the circuit clerk.

2. The court shall hear the case without a jury. If the court shall thereafter determine the petition is defective or the proposed district is illegal or unconstitutional, or shall be an undue burden on any owner of property within the district or is unjust and unreasonable, it shall enter its declaratory judgment to that effect and shall refuse to make the certifications requested in the pleadings. If the court determines that any proposed funding method is illegal or unconstitutional, it shall enter its judgment striking that funding method in whole or part. If the court determines the petition is not legally defective and the proposed district and method of funding are neither illegal nor unconstitutional, the court shall enter its judgment to that effect. If the petition was filed by registered voters or by a governing body, the court shall then certify the questions regarding district creation, project development, and proposed funding for voter approval. If the petition was filed by a governing body, **or by no less than fifty registered voters of two or more counties**, pursuant to subsection 5 of section 238.207, the court shall then certify the single question regarding district creation, project development, and proposed funding for voter approval. If the petition was filed by the owners of record of all of the real property located within the proposed district, the court shall declare the district organized and certify the funding methods stated in the petition for qualified voter approval; provided, however, the funding method of special assessments may also be approved as provided in subsection 1 of section 238.230. In either case, if no objections to the petition are timely filed, the court may make such certifications based upon the pleadings before it without any hearing.

3. Any party having filed an answer or petition may appeal the circuit court's order or declaratory judgment in the same manner provided for other appeals. **The circuit court shall have continuing jurisdiction to enter such orders as are required for the administration of the district after its formation.**"; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Pearce, **House Amendment No. 21** was adopted.

Representative Holsman offered **House Amendment No. 22**.

*House Amendment No. 22*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section A, Page 1, Line 6, by inserting the following after all of said line:

"70.515. Subject to the applicable provisions of section 70.545, the Regional Investment District Compact is hereby enacted into law and entered into by the state of Missouri with the state of Kansas legally joining therein, in the form substantially as follows:

REGIONAL INVESTMENT DISTRICT COMPACT

I. AGREEMENT AND PLEDGE

The participants in this Compact agree to and pledge, each to the other, faithful cooperation in the support of regional programs and initiatives to benefit and serve the Kansas City metropolitan area, holding in high trust for the benefit of the people and of the nation, the special blessings and natural advantages thereof.

II. POLICY AND PURPOSE

The purpose of this Compact is to provide support for regional programs and initiatives that will produce significant benefit to the Kansas City metropolitan area, with the goal of making more efficient use of resources through inter-jurisdictional cooperation on strategic regional programs and initiatives involving public transit.

III. DEFINITIONS

A. "Commission" means the governing body of the Regional Investment District.

B. "District" means the Regional Investment District.

C. "Regional Investment District" or "District" means a political subdivision of the states that have adopted this Compact, is created by this Compact and which is composed of Buchanan County and of those Kansas and Missouri counties, cities and other political subdivisions that are now or hereafter shall become parties to the Articles of Agreement executed on January 1, 1972, and thereafter amended, which geographic area covered by those political subdivisions is therein designated as the Mid-America Regional Planning Area.

D. "Mid-America Regional Council or MARC" means the body corporate and politic created by the Articles of Agreement, originally executed on January 1, 1972, and as thereafter amended, which therein assumed all the rights, duties and obligations of the Mid-America Council of Governments and the Metropolitan Planning Commission - Kansas City Region.

E. "Oversight Committee or Committee" means a body or bodies appointed by the Commission for a Regional Program that shall be constituted as set forth in Article IX of this Compact and that shall have the powers set forth in Article X of this Compact.

F. "Program Plan" means a plan developed for a proposed ballot question by the Commission, as required by Article VI, Section C of this Compact, that describes a Regional Program and provides for the appropriation and use of moneys derived from the sales tax authorized by this Compact in support of that Regional Program.

G. "Public Transit System" or "Transit System" means, without limitation, a regional system of public transit, consisting of property, structures, improvements, vehicles, potentially including, but not limited to, vans, buses, bus rapid transit, commuter rail, and other fixed guideways, equipment, software, telecommunications networks, plants, parking or other facilities, transit centers, stops, park-n-ride lots, transit related surface transportation improvements and rights-of-way used or useful for the purposes of public transit, which provides significant regional benefit, and the acquisition, construction, reconstruction, repair, maintenance, administration and operations thereof and similar activities related thereto, whether operated by one or multiple entities.

H. "Regional Program" means a program involving a Public Transit System.

IV. DISTRICT

A. Upon this Compact being entered into law by the Legislature of the State of Missouri, the Regional Investment District is created and shall include Buchanan County, Missouri, and all the geographic area within the

jurisdictional limits of those Missouri counties that are parties to the Articles of Agreement executed on January 1, 1972, and thereafter amended, which area is designated as the Mid-America Regional Planning Area, and currently includes the following counties:

- Clay County, Missouri
- Platte County, Missouri
- Jackson County, Missouri
- Cass County, Missouri
- Ray County, Missouri

B. In the event that the Legislature of the State of Kansas enacts legislation adopting this Compact, the Regional Investment District shall also include all the geographic area within the jurisdictional limits of those Kansas counties that are parties to the Articles of Agreement executed on January 1, 1972, and thereafter amended, which area is designated as the Mid-America Regional Planning Area, and currently includes the following counties:

- Wyandotte County, Kansas
- Johnson County, Kansas
- Leavenworth County, Kansas

C. The District automatically shall be expanded to include Kansas and Missouri cities, counties and other political subdivisions that hereafter shall become parties to the Articles of Agreement executed on January 1, 1972, and thereafter amended, upon the execution of the Articles of Agreement by the governing body of such political subdivisions.

## V. THE COMMISSION

A. The District shall be governed by the Commission, which shall be a body corporate and politic and shall be composed of voting members of MARC, as that Council is constituted from time to time and which is also known as the Board of Directors and may include an elected chief official from Buchanan County appointed by its chief official. All of the members of the Commission shall be elected officials from the jurisdiction that appointed them as voting members of MARC's Board of Directors; provided that all members of the Commission shall be from a jurisdiction in a state that has adopted the Compact.

B. The terms of the members of the Commission shall expire concurrently with the member's tenure as an elected official of a jurisdiction that is a party to MARC's Articles of Agreement. If a jurisdiction that is a party to MARC's Articles of Agreement appoints a different member of its governing body to MARC, that newly appointed individual shall assume the position of the member replaced. Each member shall serve until that member's replacement has been sworn in as an elected official.

C. The Commission shall begin functioning immediately upon creation of the District, as provided for in Article IV, Section A hereof.

D. The Commission shall select annually, from its membership, a chairperson, a vice chairperson, and a treasurer. The treasurer shall be bonded in the amounts the Commission may require.

E. The Commission may appoint the officers, agents, and employees, as it may require for the performance of the Commission's duties, and shall determine the qualifications and duties and fix the compensation of those officers, agents and employees.

F. The Commission shall fix the time and place at which its meetings shall be held. Meetings shall be held within the District and shall be open to the public. Public notice shall be given of all meetings of the Commission.

G. A majority of the Commissioners from each state that has enacted the Compact shall constitute, in the aggregate, a quorum for the transaction of business. No action of the Commission shall be binding unless taken at a meeting at which at least a quorum is present, and unless a majority of the Commissioners from each state, present at the meeting, shall vote in favor thereof. No action of the Commission taken at a meeting thereof shall be binding unless the subject of the action is included in a written agenda for the meeting, the agenda and notice of meeting having been provided to each Commissioner at least seven calendar days prior to the meeting.

H. The Commissioners from each state shall each be subject to the provisions of the laws of either the State of Kansas or the State of Missouri (depending upon the Commissioner's state of residence) relating to conflicts of interest of public officers and employees. If any Commissioner has a direct or indirect financial interest in any facility, service provider, organization or activity supported by the District or Commission or in any other business transaction of the District or Commission, the Commissioner shall disclose that interest in writing to the other Commissioners and shall abstain from voting on any matter in relation to that facility, organization or activity or to that business transaction.

I. If any action at law or equity, or other legal proceeding, shall be brought against any Commissioner for any act or omission arising out of the performance of their duties as a Commissioner, the Commissioner shall be indemnified in whole and held harmless by the Commission for any judgment or decree entered against the Commissioner and,

further, shall be defended at the cost and expense of the Commission in any resulting proceeding. J. Each member of the Commission shall serve as a member of the Commission without compensation for that service, except for payment of their actual and reasonably necessary expenses, as provided by Article VIII, Section A, 1.

## VI. POWERS AND DUTIES OF THE COMMISSION

A. The Commission, formally the governing body of the District, shall primarily function as the planning and administrative arm for the District. The Commission shall: undertake community planning to identify regional programs and initiatives that will produce significant benefit to the Kansas City metropolitan area; fully develop the specifics regarding existing regional programs and initiatives and those newly identified regional programs and initiatives; prepare a Program Plan for regional programs and initiatives in consultation with local officials and the public; prepare ballot questions for programs and initiatives that the Commission determines could appropriately be supported by the sales tax authorized by this Compact; and assist an appointed Oversight Committee when requested by the Oversight Committee in the implementation of any Regional Program approved by District qualified electors in accordance with the terms of this Compact.

B. The Commission shall adopt a seal and suitable bylaws governing its management, procedure and effective operation.

C. The Commission shall develop a Program Plan for a Regional Program that it determines could appropriately be supported by the sales tax authorized by the Compact, which Program Plan shall generally describe the Regional Program and provide for the appropriation and use of moneys in support of that Regional Program only for the Eligible Uses set forth in Article VIII of this Compact. A Program Plan shall also designate:

1. the counties or county in which a majority of the qualified electors voting on the ballot question must cast an affirmative vote before the sales tax may be imposed by any individual county for uses in accordance with the Program Plan;

2. the duration of the sales tax imposed in support of the Regional Program, which may be described in terms of the number of years the tax shall be imposed, a maximum number of dollars that may be raised by the sales tax imposed or any other reasonable means of establishing the duration of the sales tax; provided that the sales tax shall not extend beyond the [fifteen (15)] **twenty five** years following the date of the first receipt by the county treasurer of revenue from the sales tax imposed to support the Regional Program unless renewed by the qualified electors of that county prior to its expiration; and

3. the composition of the Oversight Committee to be appointed by the Commission for that Regional Program, which composition shall be consistent with Article IX, Section A of this Compact.

D. The Commission, subject to the requirements of Article VII, Section C, shall set the date or dates by which the election shall be held pursuant to this Compact and shall recommend those counties or county which shall hold a vote on the ballot question prepared by the Commission for that Regional Program.

E. For each election to be held pursuant to this Compact, the Commission shall prepare and submit a ballot question to the governing body of each county within the District. Each such question shall be in the form set forth in Article VII, Section D of this Compact.

F. The Commission may prepare additional ballot language generally describing a Regional Program and the use and allocation of the sales tax proposed to be imposed for the support of a Regional Program, and shall submit that additional language to each county within the District. If additional ballot language is so submitted by the Commission, and a county governing body decides to place the ballot question before the qualified electors of that county, the additional ballot language shall be placed on the subject ballot by that governing body.

G. When a majority of the qualified electors in the county or counties designated in the Program Plan for that Regional Program as one of those counties that must cast an affirmative vote on the ballot question before the sales tax may be imposed, have cast an affirmative vote, the Commission shall, in accordance with Article IX, Section A of this Compact, appoint an Oversight Committee for that Program Plan.

H. The Commission shall have the power to contract and to be contracted with and to sue and to be sued.

I. The Commission, when it deems it necessary and when requested to do so by an Oversight Committee, shall interpret and/or provide guidance and further details on a Program Plan to assist in the oversight of the appropriation and use of moneys by the Oversight Committee for that Program Plan.

J. In accordance with written guidelines adopted by the Commission, which guidelines shall be consistent with the Program Plans required by Article VI, Section C, the Commission may receive or provide donations, contributions, and grants or other support, financial or otherwise, from public or private entities, for Program Plans and the Eligible Uses set forth in Article VIII of this Compact.

K. The Commission shall execute those contracts and agreements as an Oversight Committee shall direct to implement the Program Plan developed for an approved Regional Program, provided that, the Commission determines each contract is consistent with the Program Plan.

L. The Commission may appoint advisory committees to provide input, consultation, guidance and assistance to the Commission on matters and issues related to any purposes for which the District and the Commission are hereby created.

M. The Commission may form whatever partnerships, associations, joint ventures or other affiliations, formal or otherwise, as it deems appropriate and that are in furtherance of the purposes for which the District and the Commission are created.

N. The Commission may utilize assistance from any governmental or non-governmental entity, as it shall determine appropriate, in the form of personnel, technical expertise or other resources, to further the policies, purposes and goals of the District, as stated in Article II of this Compact.

O. The Commission shall cause to be prepared annually a report on the operations and transactions conducted by the Commission during the preceding year. The report shall be an open record submitted to the legislatures and governors of the compacting states and to the governing bodies of the jurisdictions that are then a party to MARC's Articles of Agreement and of Buchanan County, Missouri, on or before March 15th of each calendar year, commencing on March 15th of the year following the year in which the certification described in Article IV, Section B hereof occurs. The Commission shall take those actions as are reasonably required to make this report readily available to the public.

P. The Commission shall have the power to apply to the Congress of the United States for its consent and approval of this Compact, if it is determined by the Commission that this consent is appropriate. In the absence of the consent of the Congress and until consent is secured, if that consent is determined appropriate, this Compact is binding upon any state that has enacted it in all respects permitted by that state's law.

Q. The Commission shall have the power to perform all other necessary and incidental functions and duties and to exercise all other necessary and appropriate powers, not inconsistent with other provisions of this Compact or the constitution or laws of the United States or of the state or states in which its members are located, that it deems appropriate to effectuate the purposes for which this District and the Commission are created.

## VII. BALLOT QUESTIONS

A. The Commission, as required by Article VI, Section C, shall develop Program Plans for Regional Programs to be submitted to the qualified electors within the District. A Program Plan developed by the Commission shall be available to the public for review and comment in advance of dates set by the Commission for submission of a ballot question to the electors in the District.

B. The governing body of each county in the District shall determine whether the provision of financial support for a Regional Program is in the best interests of the citizens of the county and whether the levy of a sales tax to provide, on a cooperative basis with another county or other counties, for financial support of the Regional Program would be economically practicable and cost beneficial to the citizens of the county and the District. Each governing body that makes an affirmative determination with respect hereto shall adopt a resolution evidencing that determination and authorizing a vote of its citizens on the ballot question for the Regional Program, by a two-thirds (2/3) majority vote of the members elect of the governing body.

C. Upon adoption of a resolution pursuant to Section B of this Article, the governing body of that county, promptly after adoption of the resolution, shall request the county election commissioner to submit the ballot question for that Regional Program to the qualified electors of that county. Each such ballot question shall be printed on the ballot and in the notice of election. Each ballot question shall be submitted to the qualified electors of that county at the primary or general election next following the date the request was filed with the county election officer.

D. The ballot for the proposition in each county shall be in substantially the following form:

Shall a sales tax ..... (insert amount, not to exceed one-half cent) be levied and collected in ..... County for the support of a Regional Program that will produce significant benefit within the Regional Investment District, with such tax to extend no longer than ..... (insert years not to exceed [fifteen] **twenty five**) years following the first receipt by the county treasurer of revenue from such tax?

☐ YES

☐ NO

E. The governing body of each of the counties that requested their county election commissioner submit the ballot question to its qualified electors also shall provide their respective county election officers with copies of any additional language prepared by the Commission, pursuant to Article VI, Section F, which additional language shall be included by each such county on the ballot.

F. The question of whether a sales tax for the support of a Regional Program involving a Public Transit System shall be imposed shall be submitted to qualified electors at the first election to be held on Regional Programs, pursuant to this Compact.

G. The governing body of any county in the District that does not pass the resolution contemplated by Section B of this Article in time to cause the placement of the ballot question before the qualified electors of that county at the first election or any subsequent election to be held on Regional Programs, pursuant to this Compact, may adopt that resolution at any time thereafter, and that ballot question shall be provided to the election commissioner of that county and submitted to the qualified electors of the county at the next primary or general election, in accordance with Section C of this Article.

H. In each county where a majority of the qualified electors voting in an election shall have cast an affirmative vote on a ballot question, that ballot question shall be approved.

I. If a ballot question is submitted to the qualified electors of a county in the District, and the ballot question is not approved in that county, following defeat of the ballot question, the governing body of that county or counties may renew procedures to levy the sales tax in support of that Regional Program. A defeat of a ballot question in any county shall not affect the approval of that ballot question in any other county, which approval shall continue to have effect.

J. No county in the District shall levy a sales tax specified herein until the qualified electors in all the counties designated by the Commission in the Program Plan for the subject Regional Program, as those that must approve the sales tax, have approved the levy of the sales tax to support the Program Plan for that Regional Program.

K. When, but only when, the electors in all of the counties designated by the Commission in the Program Plan for the Regional Program, as those that must approve the sales tax, have approved that ballot question, the governing body of each county that has approved that ballot question, at the first available opportunity, shall take all required actions to begin levying this tax.

L. Any of the counties that have elected by a vote of its electors to levy a sales tax authorized by this Compact may cease to levy this sales tax upon the majority vote of the qualified electors of the county on a ballot question submitted to qualified electors asking if that county should cease to levy this sales tax. This vote shall take place in the same manner provided in this section for levying this sales tax; provided that, no vote to cease to levy this sales tax shall take place in any county on a date earlier than a date that is five years from the date that county approved this sales tax. Provided further, in no event shall any county cease to levy this sales tax until that county has entered into a written agreement with the Commission, which agreement shall provide for the terms of cessation, and shall specifically provide: (1) a means to ensure that the county pays a fair share of the outstanding obligations incurred by the District in furtherance of its established purposes; and (2) for the ongoing operations and maintenance or the termination of any facilities or services established in the county with support provided by the Commission. The governing body of a county that has decided by this vote to cease to levy this sales tax shall send formal written notice thereof to each of the other counties comprising the District. In no event, shall the county cease to levy the sales tax earlier than ninety days after this notice has been sent. If any county in the District decides to cease levying the sales tax, the status of the District as a political subdivision of the states of Kansas and Missouri shall be unaltered and that county shall continue to have the representation on the Commission, as set forth in Article V of this Compact.

#### VIII. ELIGIBLE USES OF FUNDS

A. The Commission shall only budget and authorize the appropriation of monies for the following eligible purposes:

1. the actual and reasonably necessary expenses of the Commission and Oversight Committee, including, but not limited to, staff personnel, auditors, budget and financial consultation, legal assistance, administrative, operational, planning and engineering consultation and marketing, as well as for the actual and reasonably necessary expenses of individual Commission and Committee members that are incurred in the performance of their official duties; provided that, the Commission, in each fiscal year, shall not appropriate, for this purpose, any monies in excess of an amount that is equal to one percent of the funds appropriated to the Commission in that fiscal year by all of the counties imposing this sales tax; and

2. the support of voter approved Regional Programs within the District;

3. only pursuant to a contract with bodies corporate and politic, political subdivisions of the states of Missouri or Kansas and/or local units of government in the states of Missouri or Kansas, provided, however, the Commission may, in its discretion, require that entities contracted with shall procure a set percentage of Public Transit System services from third party contractors on a competitive basis; and

4. only in support of a Regional Program in counties that have voted affirmatively to impose a sales tax in support of that Regional Program.



B. The aggregate amount of sales taxes imposed by any county within the District, pursuant to the authority granted in this Compact, shall not exceed one-half cent.

#### IX. THE OVERSIGHT COMMITTEE

A. An Oversight Committee shall be appointed by the Commission for a Regional Program, as provided for in Article VI, Section G hereof. An Oversight Committee shall be composed of elected officials of jurisdictions that are within a county where a majority of the qualified electors voting on the ballot question have cast an affirmative vote on the imposition of a sales tax to support the subject Regional Program. An Oversight Committee shall be composed of the elected officials designated in the Program Plan for the Regional Program. An Oversight Committee shall include a minimum of one elected representative from each county that approves that ballot question and elected representatives from both cities and counties and each representative shall be approved by the chief elected official of the county or city from which they are elected. If the Program Plan describes a Regional Program that serves both Missouri and Kansas, the Oversight Committee shall be composed of an equal number of elected representatives from each state. In such instances, no action of the Commission shall be binding unless taken at a meeting at which at least a quorum is present, and unless a majority of the Commissioners from each state, present at the meeting, shall vote in favor thereof. The number of individuals comprising the Oversight Committee shall be in the sole discretion of the Commission.

B. An Oversight Committee shall be appointed within forty-five days of certification that the ballot question has been approved by the last of the counties designated by the Commission in the Program Plan for the Regional Plan, pursuant to Article VI, Section C, 1 hereof, to so certify and shall begin functioning immediately upon its appointment by the Commission. If, pursuant to Article VII, Section K, additional counties within the District shall approve the ballot question, the Commission shall appoint a minimum of one additional representative from each such county to the Oversight Committee.

C. An appointed Oversight Committee shall fix the time and place at which its meetings shall be held. Meetings shall be held at a location in a county that has approved the imposition of the sales tax to support the Program Plan for the subject Regional Program and shall be open to the public. Public notice shall be given of all meetings of the Committee.

D. The Committee members shall each be subject to the provisions of the laws of either the State of Kansas or the State of Missouri (depending upon the Committee member's state of residence) that relate to conflicts of interest of public officers and employees. If any Committee member has a direct or indirect financial interest in any facility, service provider, organization or activity supported by the District or Commission or in any other business transaction of the District or Commission, the Committee member shall disclose that interest in writing to the members of the Commission and to the other members of the Committee and shall abstain from voting on any matter in relation to that facility, organization or activity or to that business transaction with respect to which that Committee member has the interest.

E. If any action at law or equity, or other legal proceeding, shall be brought against any Committee member for any act or omission arising out of the performance of duties as a Committee member, the Committee member shall be indemnified in whole and held harmless by the Commission for any judgment or decree entered against the Committee member and, further, shall be defended at the cost and expense of the Commission in any resulting proceeding.

F. The Oversight Committee for a Regional Program shall terminate on the date when all of the moneys derived from the sales tax imposed by any or all counties in the District to support the Program Plan for that Regional Program and which have been credited to the Regional Investment Fund have been expended.

#### X. POWERS AND DUTIES OF THE OVERSIGHT COMMITTEE

A. The Oversight Committee for an approved Regional Program is charged with the oversight of the appropriation and use of moneys generated from the sales taxes and credited to the Regional Investment Fund. These moneys shall be appropriated only for the Eligible Uses set forth in Article VIII of this Compact.

B. An Oversight Committee shall only provide support for and allocate and appropriate monies for programs, services and facilities that are consistent with the voter approved Program Plan developed by the Commission and only for programs, services and facilities in counties that have approved the imposition of a sales tax in support of the Regional Program. If the Committee is uncertain or has any question about whether a specific appropriation of moneys or support activity is consistent with the Program Plan developed by the Commission, it shall seek a determination on that question from the Commission.

C. An Oversight Committee, as appropriate, shall direct that the Commission execute those contracts and agreements necessary or desirable to implement the Program Plan developed by the Commission.

D. An Oversight Committee shall adopt suitable bylaws governing its management, procedure and its effective operations.

E. An Oversight Committee shall provide the information that the Commission shall require to allow the Commission to prepare annually a report on the operations and transactions conducted by the Commission during the preceding year relating to the approved Regional Programs. This information shall include an annual financial statement prepared in accordance with General Accepted Accounting Principles (GAAP). The Oversight Committee for a Public Transit Service Regional Program shall also provide a report on operational statistics, including statistics on the ridership of the Public Transit System funded with sales tax revenues resulting from the authority granted by this Compact, comparing ridership in the then current fiscal year to ridership in the three fiscal years next preceding.

#### XI. FINANCE

A. The moneys necessary to finance the operation of the District, implement the voter approved Program Plans and execute the powers, duties and responsibilities of the Commission shall be appropriated to the Commission by the counties comprising the District, which, in accordance with Article VII, Section J of the Compact, have approved the ballot question for the subject Regional Program. The moneys to be appropriated to the Commission, in addition to the sales tax authorized by this Compact, may be raised by the governing bodies of the respective counties by the levy of taxes, fees, charges or any other revenue, as authorized by those counties or cities in those counties or by the legislatures of the respective party states, provided nothing herein shall require either state to make appropriations for any purpose.

B. Neither the Commission nor any Oversight Committee shall incur any indebtedness of any kind; nor shall they pledge the credit of MARC or any jurisdiction that is party to MARC's Articles of Agreement or either of the states party to this Compact, except as specifically authorized by this Compact. The budget of the District shall be prepared, adopted and published, as provided by law, for other political subdivisions of the party states.

C. The Commission and an Oversight Committee shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

D. The accounts of the Commission shall be open at any reasonable time for inspection by duly authorized representatives of a state that has enacted this Compact, the counties comprising the District, and other persons authorized by the Commission.

#### XII. ENTRY INTO FORCE

A. This Compact shall enter into force and become effective and binding upon the states of Kansas and Missouri when it has been entered into law by the legislatures of the respective states.

B. Amendments to the Compact shall become effective upon enactment by the legislatures of the respective states.

#### XIII. TERMINATION

A. The Compact shall continue in force and remain binding upon a party state until its legislature shall have enacted a statute repealing the same and providing for the sending of formal written notice of enactment of that statute to the legislature of the other party state. Upon enactment of that statute by the legislature of either party state, the sending of notice thereof to the other party and payment of any obligations that the Commission may have incurred prior to the effective date of that statute, the agreement of the party states embodied in the Compact shall be deemed fully executed, the Compact shall be null and void and of no further force or effect, the District shall be dissolved, and the Commission shall be abolished. If any monies remain in the Regional Investment Fund upon dissolution of this Compact, the Commission may distribute these monies to an entity or organization selected by the Commission to be used to support purposes for which the District is hereby created, as stated in Article II of this Compact.

#### XIV. CONSTRUCTION AND SEVERABILITY

A. The provisions of this Compact shall be liberally construed and shall be severable. If any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitutions of either a state that has enacted this Compact or of the United States or if the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of either party state hereto, the Compact shall thereby be nullified and voided and of no further force or effect.

70.535. 1. The governing body of any county that has been authorized by a majority of the electors of the county to levy and collect a tax for the purpose of contributing to the financial support of the district, authorized by article IV of the compact enacted in section 70.515, shall adopt a resolution imposing a countywide sales tax and pledging the revenues received therefrom for the purpose of contributing to the financial support of the district, with respect to a countywide sales tax authorized by the compact enacted by section 70.515. The rate of this tax shall be fixed at an amount of not more than one-half percent in the aggregate. Any county levying a countywide sales tax under the authority of this section is hereby prohibited from administering or collecting the tax locally, but shall utilize the services of the state department of revenue to administer, enforce and collect the tax. The sales tax shall be administered, enforced and collected in the same manner and by the same procedure as other countywide sales taxes are levied and collected and shall be in addition to any other sales tax authorized by law. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section. Upon receipt of a certified copy of a resolution authorizing the levy of a countywide sales tax under this section, the director of the department of revenue shall cause this tax to be collected at the same time and in the same manner provided for the collection of the state sales tax. All moneys derived from the countywide sales tax imposed under the authority of the compact enacted in section 70.515 and collected under the provisions of this section by the director of revenue shall be credited to the "Regional Investment Fund", which is hereby established in the state treasury. Any refund due on any countywide sales tax collected under this section shall be paid out of the sales tax refund fund and reimbursed by the director of revenue from the sales tax revenue collected under this section. All countywide sales tax revenue derived from the authority granted by the compact enacted in section 70.515 and collected within any county, under this section, shall be remitted at least quarterly by the director of revenue to the treasurer of that county.

2. All revenue received by any county treasurer from a countywide sales tax imposed under the authority of the compact enacted in section 70.515 and under this section shall be appropriated by the county to the Kansas and Missouri regional investment district commission within sixty days of receipt of the funds by the county for expenditure by the commission pursuant to, and in accordance with, the provisions of the Kansas and Missouri regional investment district compact, enacted in section 70.515. Any countywide sales tax imposed under this section shall expire upon the date determined in accordance with the program plan for the regional program that is the subject of the ballot question approved by the qualified electors of such county for that subject regional program; provided that, no sales tax shall be levied for a period of more than [fifteen] **twenty five** years from the date of the first receipt by the county treasurer of revenue from that sales tax unless renewed by the qualified electors of that county prior to its expiration, or on the date of actual withdrawal of the county from the district or upon compliance by the county with the provisions of Article IV, Section J, or at any time the Kansas and Missouri regional investment district compact becomes null and void and of no further force or effect. If any revenue remains upon nullification and voidance of the Kansas and Missouri regional investment district compact, under section 70.515, the director of revenue shall authorize the state treasurer to remit the balance in the account to the county and close the account of that county.

3. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, money in the Kansas and Missouri regional investment district sales tax fund shall not be transferred and placed to the credit of general revenue at the end of the biennium.

4. Notwithstanding the provisions of section 99.845, RSMo, to the contrary, the revenues from the countywide sales taxes imposed by counties under the authority of the compact enacted in section 70.515 and pursuant hereto shall not be allocated to and paid by the state department of revenue to any special allocation fund established by any municipality under sections 99.800 to 99.865, RSMo, the real property tax increment oversight redevelopment statutes."; and

Further amend said substitute, Section 577.023, Page 48, Line 112, by inserting the following after all of said line:

"Section B. Because of the need to extend the duration of the sales tax imposed in support of a Regional Program, the repeal and reenactment of sections 70.515 and 70.535 of section A of this act are deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and are hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of sections 70.515 and 70.535 of section A of this act shall be in full force and effect upon their passage and approval."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Holsman moved that **House Amendment No. 22** be adopted.

Which motion was defeated by the following vote:

AYES: 058

Aull	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Curls	Daus	Donnelly
Dougherty	Fallert	Frame	George	Guest
Harris 23	Hobbs	Hodges	Holsman	Hoskins
Hughes	Johnson	Jones 117	Komo	Kratky
Kuessner	Lampe	Liese	Loehner	Low 39
Meadows	Meiners	Nance	Nasheed	Nolte
Oxford	Page	Parson	Robb	Roorda
Salva	Sater	Schaaf	Skaggs	Storch
Sutherland	Talboy	Threlkeld	Tilley	Villa
Wallace	Walton	Weter	Whorton	Wildberger
Wood	Yaeger	Mr Speaker		

NOES: 080

Baker 25	Baker 123	Bivins	Brandom	Bringer
Brown 30	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grill	Grisamore	Harris 110	Hubbard	Icet
Jones 89	Kasten	Kelly	Kingery	Kraus
Lembke	LeVota	Lipke	Marsh	May
McClanahan	McGhee	Munzlinger	Muschany	Nieves
Norr	Onder	Parkinson	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Ruzicka
Scavuzzo	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Swinger	Thomson	Todd	Wasson	Wells
Wilson 119	Witte	Wright 159	Yates	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Bland	Corcoran	Darrough	El-Amin
Haywood	Hunter	Lowe 44	Moore	Pollock
Robinson	Rucker	Ruestman	Sander	Schneider
Spreng	Viebrock	Vogt	Walsh	Wilson 130
Wright-Jones	Young	Zimmerman		

VACANCIES: 002

Representative Wallace offered **House Amendment No. 23.**

*House Amendment No. 23*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section A, Page 1, Line 6, by inserting after all of said line the following:

**"142.814. 1. Motor fuel sold to be used to operate school buses to transport students to or from school or to transport students to or from any place for educational purposes is exempt from the fuel tax imposed by this chapter. As used in this section, "school buses" shall have the same meaning as section 302.010, RSMo.**

**2. The department shall promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative St. Onge raised a point of order that **House Amendment No. 23** goes beyond the scope of the bill.

The point of order was withdrawn.

On motion of Representative Wallace, **House Amendment No. 23** was adopted by the following vote:

AYES: 129

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Ruzicka	Salva	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Wallace
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 006

Daus	Davis	Dougherty	Fares	Hughes
Villa				

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Bland	Cooper 120	Corcoran	Curls
Darrough	El-Amin	George	Haywood	Hunter
Lowe 44	Moore	Pollock	Robinson	Rucker
Ruestman	Sander	Smith 14	Spreng	Viebrock
Vogt	Walsh	Walton	Wilson 130	Wright-Jones
Young				

VACANCIES: 002

## Representative Portwood offered **House Amendment No. 24.**

### *House Amendment No. 24*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 301.130, Page 15, Line 107, by inserting after all of said line the following:

**"301.161. 1. The provisions of sections 301.161 to 301.164 shall be known as the "Missouri Universal Red Light Enforcement Act" (MURLE). No motor vehicle registration fees shall be charged under sections 301.161 to 301.164. For the purposes of sections 301.161 to 301.164, the following terms mean:**

**(1) "Agency", any county, city, town, village, municipality, state agency, or other political subdivision of this state that is authorized to issue a notice of violation for a violation of a state or local traffic law or regulation;**

**(2) "Automated photo red light enforcement system" or "system", a device owned by an agency consisting of a camera or cameras and vehicle sensor or sensors, installed to work in conjunction with a traffic control signal;**

**(3) "Owner", the owner of a motor vehicle as shown on the motor vehicle registration records of the Missouri department of revenue or the analogous department or agency of another state or country. The term "owner" includes:**

**(a) A lessee of a motor vehicle under a lease of six months or more; or**

**(b) The lessee of a motor vehicle rented or leased from a motor vehicle rental or leasing company, but does not include the motor vehicle rental or leasing company itself.**

**If there is more than one owner of the motor vehicle, the primary owner will be deemed the owner. If no primary owner is named, the first-listed owner will be deemed the owner;**

**(4) "Recorded image", an image recorded by an automated photo red light enforcement system that depicts the rear view of a motor vehicle and is automatically recorded by a high-resolution camera as a digital image;**

**(5) "Steady red signal indication violation" or "violation", a violation of a steady red signal indication under sections 304.271 and 304.281 or substantially similar agency ordinance or traffic laws;**

**(6) "Traffic control signal", a traffic control device that displays alternating red, yellow, and green lights intended to direct traffic as when to stop at or proceed through an intersection.**

**2. All automated photo red light enforcement systems shall be registered with the Missouri department of transportation prior to installation. The department of transportation shall collect a one-time registration fee of five hundred dollars per light and all registration fees collected shall be deposited in the "Red Light Enforcement Fund" hereby established. The state treasurer shall be custodian of the fund and shall approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used to conduct audits to ensure agency compliance with the provisions of sections 304.271**

to 304.281, including, but not limited to, ensuring that the agency is distributing the fines collected as required under section 301.162. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

3. No agency shall use an automated photo red light enforcement system unless the system is capable of producing at least two high-resolution color digital recorded images that show:

(1) The traffic control signal while it is emitting a steady red signal;

(2) The offending vehicle; and

(3) The rear license plate of the offending vehicle. One of the images must be of sufficient resolution to show clearly, while the vehicle is in the intersection and while the traffic signal is emitting a steady red signal, all three elements set forth in this subdivision and subdivisions (1) and (2) of this subsection.

4. The automated photo red light enforcement system shall not capture images of the front license plate of the motor vehicle.

5. The automated photo red light enforcement system shall utilize a video recording component which shall record the local time at which the two violation images were captured, as well as at least five seconds before and at least five seconds after the violation event.

6. No system may photograph or otherwise capture an image of the driver's face.

7. Agencies that utilize automated photo red light enforcement systems to detect and enforce steady red signal indication violations are subject to the conditions and limitations specified in sections 301.161 to 301.164.

8. Prior to activation of the system at an intersection:

(1) If not already present, the roadway first must be clearly marked with a white stripe indicating the stop line and the perimeter of the intersection;

(2) Warning signs shall be installed within five hundred feet of the white stripe indicating the stop line;

(3) Signal phase timings at intersections equipped with a system shall be certified by the Missouri department of transportation before the automated photo red light enforcement systems may be activated for enforcement purposes and any adjustment to such timing shall be made only by a department of transportation traffic engineer. The department of transportation shall also certify that the green light is not arbitrarily short. If an agency alters the signal phase timing at an intersection without prior written approval from the Missouri department of transportation and without certification by the department of transportation traffic engineer, the agency shall be assessed a municipal fine of fifty thousand dollars for a first offense and the red light device shall be removed upon a subsequent violation. In no case shall a private vendor have the ability to control the signal phase timing connected with a system.

9. Prior to installing the automated photo red light enforcement system, the agency shall give notice of the intersection where the system will be located and of the date on which the system will begin to monitor the intersection. The agency shall give reasonable notice at least fourteen days prior to the installation of the system in a newspaper of general circulation throughout the political subdivision served by the agency.

10. Any agency that implements a system shall submit an annual report to the Missouri department of transportation. The report shall include, at a minimum:

(1) The number of intersections enforced by active systems;

(2) The number of notices of violation mailed;

(3) The number of notices of violation paid;

(4) The number of hearings; and

(5) The total revenue collected as a result of the program.

Any agency failing to complete the annual report required under this subsection within forty-five days of the time such report is due shall be assessed a fine of fifty thousand dollars and all automated photo red light enforcement systems shall be removed from the agency's jurisdiction.

11. Within three years of the establishment of an automated photo traffic law enforcement program, the implementing jurisdiction shall initiate a formal evaluation of the program to determine the program's impact on traffic safety. That evaluation shall be completed within one year.

12. An agency that establishes an automated photo red light enforcement system shall enter into an agreement or agreements for the purpose of compensating a private vendor to perform operational and administrative tasks associated with the use of such system. The notice of violation issued under section 301.162, however, shall not be issued by a private vendor. Any compensation paid to a private vendor shall not be based upon the number of violations mailed, the number of citations issued, or the number of violations paid. The

compensation paid to a private vendor shall be based upon the value of the equipment and the services provided or rendered in support of the system.

301.162. 1. Before a notice may be issued, all violation images produced by a system shall be reviewed and approved by a law or code enforcement officer employed by the agency in which the alleged violation occurred. Such review and acceptance shall be based on a full review of the images that clearly demonstrate a violation.

2. Based on inspection of recorded images produced by a system, a notice of violation or copy of such notice alleging that the violation occurred and signed manually or digitally by a duly authorized agent of the agency shall be evidence of the facts contained therein and shall be admissible in any proceeding alleging a violation under sections 301.161 to 301.164.

3. An agency shall mail or cause to be mailed a notice of violation by certified mail to the owner of the motor vehicle, which notice shall include, in addition to the requirements of supreme court rule no. 37:

(1) The name and address of the owner of the vehicle;  
(2) The registration number of the motor vehicle involved in the violation;  
(3) A copy of the two recorded images and a zoomed and cropped image of the vehicle license plate which was extracted from one of the two images;

(4) Information advising the registered owner of how he or she can review the video, photographic, and recorded images that captured the alleged violation. The agency may provide access to the video and other recorded images through the Internet. If access to the video and other recorded images is provided through the Internet, the agency shall ensure that such video and recorded images are accessible only to the registered owner through a password-protected system;

(5) A manually or digitally signed statement by a law or code enforcement officer employed by the agency that, based on inspection of the two recorded images and video sequence, the motor vehicle was operated in violation of a traffic control device or prevailing traffic laws or statutes;

(6) Information advising the registered owner of the manner, time, and place in which liability as alleged in the notice of violation may be contested, and warning that failure to pay the civil penalty or to contest liability within fourteen days from the mailing of notice is an admission of liability; and

(7) Information advising the registered owner that he or she may file an affidavit under subsection 8 of this section stating that he or she was not the operator of the vehicle at the time of the violation.

4. A notice of violation issued under this section shall be mailed no later than three business days after the violation was recorded by the automated photo red light enforcement system. The issuance of a notice of violation under this section shall be made by the agency, and shall not be subcontracted to a third party.

5. The civil penalties and court costs imposed for a violation detected and enforced pursuant to a system shall not exceed an amount that would have been imposed if the violation had been detected by a law enforcement officer present when the violation occurred. In no event shall the combined fine and court costs exceed one hundred dollars. Any revenue generated from fines collected under this section shall be distributed as follows:

(1) One-third to the agency;  
(2) One-third to the private vendor performing the operational and administrative tasks associated with the use of an automated photo red light enforcement system; and  
(3) One-third to the local school district where the infraction occurred.

Revenue distributed to schools shall not be distributed through the school funding mechanisms of section 163.031, RSMo. The chief elected official of any agency failing to distribute the funds as directed under this subsection shall be subject to criminal liability.

6. Notwithstanding any provision of law to the contrary, including but not limited to, sections 304.271, 304.281, 304.361, and 304.570, any person who commits a steady red light violation that is detected and enforced through an automated photo red light enforcement system is guilty of an infraction. A penalty imposed by an agency for a violation detected pursuant to a system shall not be deemed a moving violation and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall such imposition of a penalty be subject to merit rating for insurance purposes and no surcharge points shall be imposed in the provision of motor vehicle insurance coverage. In no case shall points be assessed against any person under section 302.302, RSMo, for a violation detected by an automated photo red light enforcement system.

7. Payment of the established fine and any applicable civil penalties shall operate as a final disposition of the case. Payment of the fine and any penalties, whether before or after hearing, by one motor vehicle owner



shall be satisfaction of the fine as to all other motor vehicle owners of the same motor vehicle for the same violation.

8. In the prosecution of a steady red signal indication violation under sections 304.286 to 304.289, the agency shall have the burden of proving that the vehicle described in the notice of violation issued under this section was operated in violation of sections 301.161 to 301.164 and that the defendant was at the time of such violation the owner and the driver of such vehicle. The agency shall not enter into any plea-bargaining agreements in relation to any violation occurring under sections 301.161 to 301.164.

**301.163. 1.** For each automated photo red light enforcement system that is installed at an intersection by an agency, during the first thirty days the system is monitoring an intersection, the agency shall issue only warning notices and shall not issue any ticket or citation for any violation detected by the system.

**2.** No agency shall employ the use of a photo radar system to enforce speeding violations. As used in this subsection, the term "photo radar system" shall mean a device used primarily for highway speed limit enforcement substantially consisting of a radar unit linked to a camera, which automatically produces a photograph of a motor vehicle traveling in excess of the legal speed limit.

**301.164.** Photographic and other recorded evidence obtained through the use of automated photo red light enforcement devices shall be maintained according to law and shall be maintained by the appropriate agency for a period of at least three years. Such photographic and other recorded evidence obtained through the use of an automated photo red light enforcement system shall be confidential and shall not be deemed a "public record" under section 610.010, RSMo, and shall not be subject to the provisions of section 109.180, RSMo, or chapter 610, RSMo."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Kraus offered **House Amendment No. 1 to House Amendment No. 24.**

**House Amendment No. 1 to House Amendment No. 24** was withdrawn.

Representative Kraus offered **House Amendment No. 2 to House Amendment No. 24.**

*House Amendment No. 2  
to  
House Amendment No. 24*

AMEND House Amendment No. 24 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Page 8, Line 5, by inserting after the phrase "**RSMo.**", the following:

**"304.830. Notwithstanding any provision of law to the contrary, any revenue received by a county, city, town, village, municipality, state agency, or other political subdivision of this state from fines assessed for red light violations that are detected and enforced through an automated photo red light enforcement system shall be deposited in the state school moneys fund established under 166.051, RSMo.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kraus, **House Amendment No. 2 to House Amendment No. 24** was adopted by the following vote:

AYES: 120

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Chappelle-Nadal	Cox	Cunningham 145
Cunningham 86	Deeken	Denison	Dethrow	Dixon

Donnelly	Dougherty	Dusenberg	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Loehner	Low 39	Lowe 44
Marsh	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Portwood	Pratt	Quinn 9	Richard
Robb	Roorda	Ruzicka	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Tilley
Todd	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 017

Casey	Cooper 155	Curls	Darrough	Daus
Davis	Day	Emery	Hunter	Johnson
Kratky	Lipke	May	Quinn 7	Schneider
Threlkeld	Villa			

PRESENT: 000

ABSENT WITH LEAVE: 024

Cooper 120	Corcoran	El-Amin	Haywood	Meadows
Moore	Nolte	Pollock	Robinson	Rucker
Ruestman	Salva	Sander	Sater	Schoemehl
Spreng	Viebrock	Vogt	Walsh	Walton
Whorton	Wildberger	Wright-Jones	Young	

VACANCIES: 002

On motion of Representative Portwood, **House Amendment No. 24, as amended**, was adopted.

Representative Parkinson offered **House Amendment No. 25**.

*House Amendment No. 25*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947, Section 390.372, Page 45, Line 24, by inserting immediately after said line the following:

"565.082. 1. A person commits the crime of assault of a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in the second degree if such person:

(1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer by means other than a deadly weapon or dangerous instrument;

(3) Recklessly causes serious physical injury to a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer; or

(4) While in an intoxicated condition or under the influence of controlled substances or drugs, operates a motor vehicle in this state and when so operating, acts with criminal negligence to cause physical injury to a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer;

(5) Acts with criminal negligence to cause physical injury to a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer by means of a deadly weapon or dangerous instrument;

(6) Purposely or recklessly places a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in apprehension of immediate serious physical injury; or

(7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer.

2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), and (17) of section 190.100, RSMo.

3. As used in this section, the terms "**highway worker**", "**construction zone**" or "**work zone**" shall have the same meaning as such terms are defined in section 304.580, RSMo.

4. Assault of a law enforcement officer, emergency personnel, **highway worker in a construction zone or work zone**, or probation and parole officer in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of subsection 1 of this section in which case it is a class C felony. **For any violation of subdivision (1), (3) or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her sentence."**

On motion of Representative Parkinson, **House Amendment No. 25** was adopted.

Representative Flook offered **House Amendment No. 26**.

Representative Witte raised a point of order that **House Amendment No. 26** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

On motion of Representative St. Onge, **HCS SCS SBs 930 & 947, as amended**, was adopted.

On motion of Representative St. Onge, **HCS SCS SBs 930 & 947, as amended**, was read the third time and passed by the following vote:

AYES: 092

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Funderburk
Grisamore	Guest	Harris 110	Hobbs	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly

Kingery	Kraus	Kuessner	Lampe	Lembke
Marsh	May	McGhee	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruzicka	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Tilley	Wallace
Wells	Wilson 119	Wilson 130	Witte	Wright 159
Yates	Mr Speaker			

NOES: 046

Bland	Brown 50	Burnett	Chappelle-Nadal	Curls
Darrough	Daus	Dethrow	Donnelly	Flook
Franz	George	Grill	Harris 23	Hodges
Holsman	Hoskins	Hughes	Johnson	Komo
Kratky	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	McClanahan	Oxford	Page
Roorda	Scavuzzo	Schaaf	Schneider	Schoemehl
Shively	Skaggs	Talboy	Threlkeld	Todd
Villa	Weter	Wood	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 023

Corcoran	El-Amin	Haywood	Hunter	Meadows
Moore	Pollock	Robinson	Rucker	Ruestman
Salva	Sander	Sater	Spreng	Viebrock
Vogt	Walsh	Walton	Wasson	Whorton
Wildberger	Wright-Jones	Young		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**HCS SS SCS SB 711**, relating to property taxation, was taken up by Representative Sutherland.

Representative Sutherland offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 2, Section 67.110, Line 8, by inserting immediately after the word "**books**" the following:

**"for each calendar year after December 31, 2008";** and

Further amend said bill, Page 14, Section 137.055, Line 8, by inserting immediately after the word "**year**" the following:

**"for each calendar year after December 31, 2008";** and

Further amend said bill, Page 19, Section 137.073, Line 188, by inserting immediately after the word "**increase**" the following:

**"and, so adjusted, shall be the current tax rate ceiling"; and**

Further amend said bill, Page 30, Section 137.115, Lines 173 to 177, by deleting all of said lines; and

Further amend said bill, page and section, 30, Line 177, by inserting immediately after all of said line the following:

"137.122. 1. As used in this section, the following terms mean:

(1) "Business personal property", tangible personal property which is used in a trade or business or used for production of income and which has a determinable life of longer than one year except that supplies used by a business shall also be considered business personal property, but shall not include livestock, farm machinery, grain and other agricultural crops in an unmanufactured condition, property subject to the motor vehicle registration provisions of chapter 301, RSMo, property assessed under section 137.078, the property of rural electric cooperatives under chapter 394, RSMo, or property assessed by the state tax commission under chapters 151, 153, and 155, RSMo, section 137.022, and sections 137.1000 to 137.1030;

(2) "Class life", the class life of property as set out in the federal Modified Accelerated Cost Recovery System life tables or their successors under the Internal Revenue Code as amended;

(3) "Economic or functional obsolescence", a loss in value of personal property above and beyond physical deterioration and age of the property. Such loss may be the result of economic or functional obsolescence or both;

(4) "Original cost", the price the current owner, the taxpayer, paid for the item without freight, installation, or sales or use tax. In the case of acquisition of items of personal property as part of an acquisition of an entity, the original cost shall be the historical cost of those assets remaining in place and in use and the placed in service date shall be the date of acquisition by the entity being acquired;

(5) "Placed in service", property is placed in service when it is ready and available for a specific use, whether in a business activity, an income-producing activity, a tax-exempt activity, or a personal activity. Even if the property is not being used, the property is in service when it is ready and available for its specific use;

(6) "Recovery period", the period over which the original cost of depreciable tangible personal property shall be depreciated for property tax purposes and shall be the same as the recovery period allowed for such property under the Internal Revenue Code.

2. To establish uniformity in the assessment of depreciable tangible personal property, each assessor shall use the standardized schedule of depreciation in this section to determine the assessed valuation of depreciable tangible personal property for the purpose of estimating the value of such property subject to taxation under this chapter.

3. For purposes of this section, and to estimate the value of depreciable tangible personal property for mass appraisal purposes, each assessor shall value depreciable tangible personal property by applying the class life and recovery period to the original cost of the property according to the following depreciation schedule. The percentage shown for the first year shall be the percentage of the original cost used for January first of the year following the year of acquisition of the property, and the percentage shown for each succeeding year shall be the percentage of the original cost used for January first of the respective succeeding year as follows:

Year	Recovery Period in Years					
	3	5	7	10	15	20
1	75.00	85.00	89.29	92.50	95.00	96.25
2	37.50	59.50	70.16	78.62	85.50	89.03
3	12.50	41.65	55.13	66.83	76.95	82.35
4	5.00	24.99	42.88	56.81	69.25	76.18
5		10.00	30.63	48.07	62.32	70.46
6			18.38	39.33	56.09	65.18
7			10.00	30.59	50.19	60.29
8				21.85	44.29	55.77
9				15.00	38.38	51.31
10					32.48	46.85
11					26.57	42.38
12					20.67	37.92
13					15.00	33.46

14	29.00
15	24.54
16	20.08
17	20.00

Depreciable tangible personal property in all recovery periods shall continue in subsequent years to have the depreciation factor last listed in the appropriate column so long as it is owned or held by the taxpayer. The state tax commission shall study and analyze the values established by this method of assessment and in every odd-numbered year make recommendations to the joint committee on tax policy pertaining to any changes in this methodology, if any, that are warranted.

4. Such estimate of value determined under this section shall be presumed to be correct for the purpose of determining the true value in money of the depreciable tangible personal property, but such estimation may be disproved by substantial and persuasive evidence of the true value in money under any method determined by the state tax commission to be correct, including, but not limited to, an appraisal of the tangible personal property specifically utilizing generally accepted appraisal techniques, and contained in a narrative appraisal report in accordance with the Uniform Standards of Professional Appraisal Practice or by proof of economic or functional obsolescence or evidence of excessive physical deterioration. For purposes of appeal of the provisions of this section, the salvage or scrap value of depreciable tangible personal property may only be considered if the property is not in use as of the assessment date.

5. This section shall not apply to business personal property placed in service before January 2, 2006. **Nothing in this section shall be found to create a presumption as to the proper method of determining the assessed valuation of business personal property placed in service before January 2, 2006.**

6. The provisions of this section are not intended to modify the definition of tangible personal property as defined in section 137.010."; and

Further amend said bill, Page 37, Section 137.720, Line 17, by inserting at the end of said line the following:

**"The provisions of this subsection shall become effective July 1, 2009.";** and

Further amend said bill, Page 43, Section 138.400, Line 9, by deleting all of said line and inserting in lieu thereof the following:

"the several counties [so that it may be in the possession of county boards of equalization on or"; and

Further amend said bill, Page 45, Section 138.435, Lines 1 to 35, by deleting all of said lines and inserting in lieu thereof the following:

**"138.435. 1. There is hereby established within the state tax commission the "Office of State Ombudsman for Property Assessment and Taxation", for the purpose of helping to assure the fairness, accountability, and transparency of the property tax process.**

**2. The office shall be administered by the state ombudsman, who shall devote his or her entire time to the duties of the position.**

**3. The office shall establish and implement procedures for receiving, processing, responding to, and resolving complaints made by or on behalf of taxpayers relating to assessments, valuation of property, tax levies of political subdivisions, and appeals before the assessor, board of equalization, or the state tax commission.**

**4. The ombudsman or representatives of the office shall have the authority to:**

**(1) Investigate any complaints or inquiries that come to the attention of the office. The ombudsman shall have access to review documents within the offices of assessors, the state tax commission, the state auditor's office, political subdivisions, collectors, clerks, or county commissions. The ombudsman shall have access to review taxpayer records, if given permission by the taxpayer or the taxpayer's legal guardian. Taxpayers shall have the right to request, deny, or terminate any assistance that the ombudsman may provide;**

**(2) Make the necessary inquiries and review of such information and records as the ombudsman or representative of the office deems necessary to accomplish the objective of verifying these complaints.**

**5. The office shall acknowledge complaints, report its findings, make recommendations, gather and disseminate information and other material, and publicize its existence.**

**6. The ombudsman may recommend to the relevant state or local governmental agency or political subdivision changes in the rules and regulations adopted or proposed by such governmental agency or political**

subdivision which do or may adversely affect the rights or privileges of taxpayers. The office shall analyze and monitor the development and implementation of federal, state and local laws, regulations, and policies with respect to property assessment and taxation, and shall recommend to the state tax commission changes in such laws, regulations, and policies deemed by the office to be appropriate.

7. The office shall promote community contact and involvement with taxpayers through the use of volunteers and volunteer programs to encourage citizen involvement in the property tax process.

8. The office shall prepare and distribute to each county written notices which set forth the address, telephone number, and e-mail address of the office, a brief explanation of the function of the office, the procedure to follow in filing a complaint, and other pertinent information.

9. The county shall ensure that such written notice is available upon request of any taxpayer.

10. The office shall inform taxpayers or their legal guardians of their rights and entitlements by means of the distribution of educational materials and group meetings."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS SS SCS SB 711, with House Amendment No. 1, pending**, was placed on the Informal Calendar.

## COMMITTEE REPORTS

**Special Committee on Family Services**, Chairman Franz reporting:

Mr. Speaker: Your Special Committee on Family Services, to which was referred **SS SCS SB 726**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS#2 SCS SB 781**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SB 805**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269**, begs leave to report it has examined the same and recommends that it **Be Returned to Committee of Origin**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 1170**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SBs 1181, 1100, 1262 & 1263**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**HCS#2 SCS SBs 1181, 1100, 1262 & 1263** - Fiscal Review (Fiscal Note)

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1311**, entitled:

An act to repeal section 115.453, RSMo, and to enact in lieu thereof one new section relating to write-in candidates.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1422**, entitled:

An act to repeal sections 390.071 and 622.095, RSMo, and to enact in lieu thereof one new section relating to implementing the unified carrier registration plan and agreement to conform with the Unified Carrier Registration Act of 2005.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1450**, entitled:

An act to repeal sections 21.800 and 610.021, RSMo, and to enact in lieu thereof two new sections relating to terrorism.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1570**, entitled:

An act to repeal section 488.2300, RSMo, and to enact in lieu thereof two new sections relating to guardians ad litem.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1640**, entitled:

An act to repeal section 193.125, RSMo, and to enact in lieu thereof one new section relating to birth certificates.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1689**, entitled:

An act to repeal sections 286.200, 286.205, and 286.210, RSMo, and to enact in lieu thereof four new sections relating to the office of administration.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1690**, entitled:

An act to repeal section 379.118, RSMo, and to enact in lieu thereof three new sections relating to the transmission of insurance-related information in specific formats.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1804**, entitled:

An act to repeal sections 82.020 and 313.820, RSMo, and to enact in lieu thereof three new sections relating to cities, with an emergency clause for a certain section.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 1804, Page 1, Section 77.105, Line 2, by inserting after "ordinance" the following:

**", motion,"**.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1807**, entitled:

An act to repeal sections 162.675, 162.730, 162.740, 162.755, 162.780, 162.785, 162.810, and 168.520, RSMo, and to enact in lieu thereof eight new sections relating to Missouri schools for the severely disabled, with penalty provisions.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 1946**, entitled:

An act to repeal sections 453.072 and 453.073, RSMo, and to enact in lieu thereof three new sections relating to adoption subsidies.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2047**, entitled:

An act to repeal sections 88.917 and 231.444, RSMo, and to enact in lieu thereof two new sections relating to maintenance of roadways.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2048**, entitled:

An act to amend chapter 173, RSMo, by adding thereto one new section relating to college textbooks.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2048, Page 2, Section 173.955, Line 35, by striking the word "on" and inserting in lieu thereof the following: "**of**".

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HB 2065**, entitled:

An act to repeal sections 337.029 and 337.068, RSMo, and to enact in lieu thereof two new sections relating to the state committee of psychologists.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SCS HCS HB 2279, as amended**, and grants the House a conference thereon.

The President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SCS HCS HB 2279, as amended**: Senators Engler, Lager, Griesheimer, Bray and Callahan.

The following members' presence was noted: Rucker and Ruestman.

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 9:00 a.m., Tuesday, May 13, 2008.

## COMMITTEE MEETINGS

### AGRICULTURE POLICY

Tuesday, May 13, 2008, Hearing Room 7 upon evening adjournment.

Executive session may follow.

Public hearing to be held on: SCR 35

### FISCAL REVIEW

Tuesday, May 13, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

### FISCAL REVIEW

Wednesday, May 14, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

### FISCAL REVIEW

Thursday, May 15, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

### FISCAL REVIEW

Friday, May 16, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

### RULES - PURSUANT TO RULE 25(21)(f)

Tuesday, May 13, 2008, Hearing Room 6 upon afternoon adjournment.

Executive session may follow.

Public hearing to be held on: HCS SS SB 817

### SPECIAL COMMITTEE ON AGRI-BUSINESS

Tuesday, May 13, 2008, Hearing Room 6 upon morning recess.

Executive session. AMENDED.

### SPECIAL COMMITTEE ON FINANCIAL INSTITUTIONS

Tuesday, May 13, 2008, Hearing Room 7 upon morning recess.

Executive session may follow.

Public hearing to be held on: SCS SB 865

### SPECIAL COMMITTEE ON HEALTHCARE TRANSFORMATION

Tuesday, May 13, 2008, Hearing Room 1 upon morning recess.

Executive session.

### SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, May 14, 2008, Hearing Room 7 upon evening adjournment.

Executive session will be held.

**SPECIAL COMMITTEE ON STUDENT ACHIEVEMENT**

Tuesday, May 13, 2008, 1:00 p.m. Hearing Room 3.

Executive session may follow.

Public hearing to be held on: SCS SCR 39

**HOUSE CALENDAR**

SEVENTY-FIRST DAY, TUESDAY, MAY 13, 2008

**HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 64 - Chappelle-Nadal

**HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)

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- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HB 1468 - Pratt
- 46 HCS HBs 1809 & 2173 - Ruzicka
- 47 HCS HB 2420 - Baker (123)
- 48 HCS HB 2421 - Meiners
- 49 HB 2555 - Pearce
- 50 HB 1484 - Muschany
- 51 HCS HB 1880 - Schaaf
- 52 HCS HB 1884 - Quinn (7)
- 53 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 54 HCS HB 2460 - Emery
- 55 HCS HB 2210 - Jones (89)
- 56 HB 2556 - Hubbard

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany
- 4 HCS HBs 1736 & 2320, (Fiscal Review 5-09-08) - Nolte

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE JOINT RESOLUTIONS FOR THIRD READING**

- 1 SS SCS SJRs 34 & 30 - Bruns
- 2 SJR 45 - Hobbs

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 HCS SB 932 - Grisamore
- 4 SB 955 - Wildberger

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- 5 SB 970 - May
- 6 HCS SB 1175 - Cox
- 7 SCS SB 901 - Hunter
- 8 SB 1038 - Cox
- 9 SB 885 - Cooper (120)
- 10 SS SCS SB 1059 - Pearce
- 11 SCS SB 1157, E.C. - Walsh
- 12 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 13 HCS SS SCS SBs 818 & 795 - Smith (14)
- 14 HCS SCS SBs 754 & 794 - Lipke
- 15 HCS SCS SB 765, E.C. - Schneider
- 16 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)
- 17 SCS SB 873 - Pratt
- 18 SS SB 1159 - Pratt
- 19 HCS SCS SB 1209, E.C. - Sutherland
- 20 HCS SB 925 - Aull
- 21 HCS SCS SB 994, E.C. - Wallace
- 22 HCS SCS SB 732, (Fiscal Review 5-09-08) - Jones (117)
- 23 HCS SB 953 - Stevenson
- 24 HCS#2 SB 976, (Fiscal Review 5-09-08), E.C. - Stevenson
- 25 SCS SB 1040 - Hobbs
- 26 HCS SCS SB 1081, E.C. - Cooper (155)
- 27 SCS SB 1107, E.C. - Pollock
- 28 HCS SCS SB 1172 - Bruns
- 29 HCS#2 SCS SB 781, E.C. - Stevenson
- 30 SB 805 - Kingery
- 31 HCS SCS SB 1170, E.C. - Swinger
- 32 HCS SCS SBs 1181, 1100, 1262 & 1263, (Fiscal Review 5-12-08), E.C. - Schoeller

**SENATE BILLS FOR THIRD READING - INFORMAL**

- 1 HCS SCS SB 720, as amended - Smith (150)
- 2 HCS SS SCS SB 711, HA 1, pending - Sutherland

**HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS HB 1678, as amended - Day
- 2 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 3 SCS HCS HB 2034, as amended - Munzlinger
- 4 SS SCS HB 1384 & HB 2157 - Cox
- 5 SS SCS HCR 30, (5-06-08, Pages 1347-1348) - Emery
- 6 SCS HCS HB 1715, as amended, E.C. - Schad

**BILLS IN CONFERENCE**

- 1 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 2 CCR HCS SB 841, as amended - St. Onge
- 3 SB 1068, HA 1, HA 3 - Sater
- 4 HCS SB 1074, as amended - Smith (14)
- 5 SS SCS HB 2224 - Jones (117)
- 6 SCS HCS HB 2279, as amended - Wright

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 31, (4-24-08, Page 1164) - Loehner

**HOUSE RESOLUTION**

HR 185, (4-30-08, Page 1248) - Jones (117)



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTY-FIRST DAY, TUESDAY, MAY 13, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

Almighty God, we pray for the people of our State, especially those who have lost their lives, lost loved ones, and lost their homes and property in the tornadoes. By Your inspiration continue sending good Samaritans to help them.

We pray for those who suffer from excessive rainfall and floodwaters, and for those in agriculture who struggle to get crops planted.

Lord God, by Your Fatherly care, bless the youth and children of our State; give them the grace to complete the school year with grades showing growth in wisdom, age and grace before God and man.

Finally, we pray for ourselves. We ask for the strength and perseverance to give each topic on the agenda of this day the attention it deserves. May Your Word in Psalm 106 be fulfilled in us. "Happy are they who observe what is right, who do always what is just" (*Psalm 106:3*).

To You be glory and honor. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Adam Kidwell.

The Journal of the seventieth day was approved as corrected.

## SENATE CONCURRENT RESOLUTION

**SCR 31**, relating to Chamois ferryboat project, was taken up by Representative Loehner.

On motion of Representative Loehner, **SCR 31** was adopted by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin

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Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Bland	Brown 50	Corcoran	El-Amin
Harris 23	Haywood	Hunter	Kasten	Marsh
Moore	Muschany	Page	Quinn 9	Spreng
Walton	Whorton	Wright-Jones		

VACANCIES: 002

## HOUSE RESOLUTION

**HR 185**, relating to house employees, was taken up by Representative Jones (117).

On motion of Representative Jones (117), **HR 185** was adopted by the following vote:

AYES: 144

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins

Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Baker 25	Bland	Corcoran	El-Amin
Frame	Franz	Harris 23	Haywood	Lembke
Marsh	Page	Quinn 9	Spreng	Tilley
Walton	Wright-Jones			

VACANCIES: 002

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**SCS HCS HB 2279:** Representatives Wright, Schoeller, Emery, Walsh and Skaggs

### THIRD READING OF SENATE BILLS - INFORMAL

**HCS SCS SB 720, as amended**, relating to utility regulation and scrap metal, was taken up by Representative Smith (150).

Representative Cooper (120) offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, Page 1, Section A, Line 4, by inserting after said line the following:

**"260.1050. Sections 260.1050 to 260.1101 may be cited as the "Manufacturer Responsibility and Consumer Convenience Equipment Collection and Recovery Act".**

**260.1053. As used in sections 260.1050 to 260.1101, the following terms mean:**

- (1) "Brand", the name, symbol, logo, trademark, or other information that identifies a product rather than the components of the product;**
- (2) "Computer materials", a desktop or notebook computer and includes a computer monitor or other display device that does not contain a tuner;**
- (3) "Consumer", an individual who uses equipment that is purchased primarily for personal or home business use;**
- (4) "Department", department of natural resources;**
- (5) "Equipment", computer materials;**
- (6) "Manufacturer", a person:**
  - (a) Who manufactures or manufactured equipment under a brand that:**
    - a. The person owns or owned; or**
    - b. The person is or was licensed to use, other than under a license to manufacture equipment for delivery exclusively to or at the order of the licensor;**
  - (b) Who sells or sold equipment manufactured by others under a brand that:**
    - a. The person owns or owned; or**
    - b. The person is or was licensed to use, other than under a license to manufacture equipment for delivery exclusively to or at the order of the licensor;**
  - (c) Who manufactures or manufactured equipment without affixing a brand;**
  - (d) Who manufactures or manufactured equipment to which the person affixes or affixed a brand that:**
    - a. The person does not or has not owned; or**
    - b. The person is not or was not licensed to use; or**
  - (e) Who imports or imported equipment manufactured outside the United States into the United States unless at the time of importation the company or licensee that sells or sold the equipment to the importer has or had assets or a presence in the United States sufficient to be considered the manufacturer.**

**260.1059. 1. The collection, recycling, and reuse provisions of sections 260.1050 to 260.1101 apply to equipment used and returned to the manufacturer by a consumer in this state and do not impose any obligation on an owner or operator of a solid waste facility.**

**2. Sections 260.1050 to 260.1101 do not apply to:**

- (1) Any part of a motor vehicle, a personal digital assistant, or a telephone, including wireless devices;**
- (2) A consumer's lease of equipment or a consumer's use of equipment under a lease agreement; or**
- (3) The sale or lease of equipment to an entity when the manufacturer and the entity enter into a contract that effectively addresses the collection, recycling, and reuse of equipment that has reached the end of its useful life.**

**260.1062. 1. Before a manufacturer may offer equipment for sale in this state, the manufacturer shall:**

- (1) Adopt and implement a recovery plan;**
- (2) Submit a written copy of the recovery plan to the department; and**
- (3) Affix a permanent, readily visible label to the equipment with the manufacturer's brand.**

**2. The recovery plan shall enable a consumer to recycle equipment without paying a separate fee at the time of recycling and shall include provisions for:**

- (1) The manufacturer's collection from a consumer of any equipment that has reached the end of its useful life and is labeled with the manufacturer's brand; and**
- (2) Recycling or reuse of equipment collected under subdivision (1) of this subsection.**

**3. The collection of equipment provided under the recovery plan shall be:**

- (1) Reasonably convenient and available to consumers in this state; and**
- (2) Designed to meet the collection needs of consumers in this state.**

4. Examples of collection methods that alone or combined meet the convenience requirements of this section include a system:

- (1) By which the manufacturer or the manufacturer's designee offers the consumer an option for returning equipment by mail at no charge to the consumer;
- (2) Using a physical collection site that the manufacturer or the manufacturer's designee keeps open and staffed and to which the consumer may return equipment; and
- (3) Using a collection event held by the manufacturer or the manufacturer's designee at which the consumer may return equipment.

5. Collection services under this section may use existing collection and consolidation infrastructure for handling equipment and may include systems jointly managed by a group of manufacturers, electronic recyclers and repair shops, recyclers of other commodities, reuse organizations, not-for-profit corporations, retailers, recyclers, and other suitable operations. If a manufacturer or its designee offers a mail-back system as described in subsection 4 of this section, either individually or by working together with a group of manufacturers or by working with others, it shall be deemed to meet the convenience requirements of this section.

6. The recovery plan shall include information for the consumer on how and where to return the manufacturer's equipment. The manufacturer:

- (1) Shall include collection, recycling, and reuse information on the manufacturer's publicly available Internet site;
- (2) Shall provide collection, recycling, and reuse information to the department; and
- (3) May include collection, recycling, and reuse information in the packaging for or in other materials that accompany the manufacturer's equipment when the equipment is sold.

7. Information about collection, recycling, and reuse on a manufacturer's publicly available Internet site does not constitute a determination by the department that the manufacturer's recovery plan or actual practices are in compliance with sections 260.1050 to 260.1101 or other state or federal law.

8. Each manufacturer shall submit a report to the department not later than January thirty-first of each year that includes:

- (1) The weight of equipment collected, recycled, and reused during the preceding calendar year; and
- (2) Documentation certifying that the collection, recycling, and reuse of equipment during the preceding calendar year was conducted in a manner that complies with section 260.1089 regarding sound environmental management.

9. If more than one person is a manufacturer of a certain brand of equipment as defined by section 260.1053, any of those persons may assume responsibility for and satisfy the obligations of a manufacturer under sections 260.1050 to 260.1101 for that brand. If none of those persons assumes responsibility or satisfies the obligations of a manufacturer for the equipment of that brand, the department may consider any of those persons to be the responsible manufacturer for purposes of sections 260.1050 to 260.1101.

10. The obligations under sections 260.1050 to 260.1101 of a manufacturer who manufactures or manufactured equipment, or sells or sold equipment manufactured by others, under a brand that was previously used by a different person in the manufacture of the equipment extends to all equipment bearing that brand regardless of its date of manufacture.

260.1065. 1. A person who is a retailer of equipment shall not sell or offer to sell new equipment in this state unless the equipment is labeled with the manufacturer's label and the manufacturer is included on the department's list of manufacturers that have recovery plans.

2. Retailers can go to the department's Internet site as outlined in section 260.1071 and view all manufacturers that are listed as having registered a collection program. Covered electronic products from manufacturers on that list may be sold in or into this state.

3. A retailer is not required to collect equipment for recycling or reuse under sections 260.1050 to 260.1101.

260.1068. 1. A manufacturer or retailer of equipment is not liable in any way for information in any form that a consumer leaves on computer materials that are collected, recycled, or reused under sections 260.1050 to 260.1101.

2. The consumer is responsible for any information in any form left on the consumer's computer materials that are collected, recycled, or reused.

3. Compliance with sections 260.1050 to 260.1101 does not exempt a person from liability under other law.

**260.1071. 1.** The department shall educate consumers regarding the collection, recycling, and reuse of equipment.

**2.** The department shall host or designate another person to host an Internet site providing consumers with information about the recycling and reuse of equipment, including best management practices and information about and links to information on:

(1) Manufacturers' collection, recycling, and reuse programs, including manufacturers' recovery plans; and

(2) Equipment collection events, collection sites, and community equipment recycling and reuse programs.

**260.1074. 1.** The department may conduct audits and inspections to determine compliance with sections 260.1050 to 260.1101.

**2.** The department and the attorney general, as appropriate, shall enforce sections 260.1050 to 260.1101 and, except as provided by subsections 4 and 5 of this section, take enforcement action against any manufacturer, retailer, or person who recycles or reuses equipment for failure to comply with sections 260.1050 to 260.1101.

**3.** The attorney general may file suit to enjoin an activity related to the sale of equipment in violation of sections 260.1050 to 260.1101.

**4.** The department shall issue a written warning notice to a person upon the person's first violation of sections 260.1050 to 260.1101. The person shall comply with sections 260.1050 to 260.1101 not later than the sixtieth day after the date the warning notice is issued.

**5.** A retailer who receives a warning notice from the department that the retailer's inventory violates sections 260.1050 to 260.1101 because it includes equipment from a manufacturer that has not submitted the recovery plan required by section 260.1062 shall bring the inventory into compliance with sections 260.1050 to 260.1101 not later than the sixtieth day after the date the warning notice is issued.

**6. (1)** The department may assess a penalty against a manufacturer that does not label its equipment or adopt, implement, or submit a recovery plan as required by section 260.1062. No penalty shall be assessed for a first violation and the amount of the penalty shall not exceed ten thousand dollars for the second violation or twenty-five thousand dollars for each subsequent violation.

**(2)** Any penalty collected under this section shall be credited to the "Equipment Recycling Subaccount", which is hereby created, in the hazardous waste fund. Moneys in the subaccount shall be used for the purpose of administering the provisions of sections 260.1050 to 260.1101. The state treasurer shall be custodian of the subaccount and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the subaccount shall be used solely for the administration of sections 260.1050 to 260.1101. Any moneys remaining in the subaccount at the end of the biennium shall revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the subaccount.

**260.1077.** Financial or proprietary information submitted to the department under sections 260.1050 to 260.1101 shall not be considered a public record under chapter 610, RSMo.

**260.1080.** The department shall compile information from manufacturers and issue an electronic report to the committee in each house of the general assembly having primary jurisdiction over environmental matters not later than March first of each year.

**260.1083.** Sections 260.1050 to 260.1101 do not authorize the department to impose a fee, including a recycling fee or registration fee, on a consumer, manufacturer, retailer, or person who recycles or reuses equipment.

**260.1089. 1.** All equipment collected under sections 260.1050 to 260.1101 shall be recycled or reused in a manner that complies with federal, state, and local law.

**2.** The department shall, by rule, adopt as mandatory standards for recycling or reuse of equipment in this state the standards provided by "Electronics Recycling Operating Practices" as approved by the board of directors of the Institute of Scrap Recycling Industries, Inc., April 25, 2006, or other standards issued from the U.S. Environmental Protection Agency, if available.

**260.1092. 1.** If federal law establishes a national program for the collection and recycling of equipment and the department determines that the federal law substantially meets the purposes of sections 260.1050 to 260.1101, the department may adopt an agency statement that interprets the federal law as preemptive of sections 260.1050 to 260.1101.

**2.** Sections 260.1050 to 260.1101 shall expire on the date the department issues a statement under this section.

**260.1101. 1.** The department shall adopt any rules required to implement sections 260.1050 to 260.1101 not later than July 1, 2009. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

**2.** Sections 260.1050 to 260.1101 shall not be enforced before rules developed under this section are promulgated.

**3.** It shall not be considered a violation of sections 260.1050 to 260.1101 for a retailer to sell any inventory accrued before the effective date of sections 260.1050 to 260.1101.

**260.1104.** Sections 260.1050 to 260.1101 shall not apply to:

**(1)** Any computer material that is an electronic device that is a part of a motor vehicle or any part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchised dealer, including replacement parts for use in a motor vehicle;

**(2)** Any electronic device that is functionally or physically a part of, connected to or integrated within a larger piece of equipment designed and intended for use in an industrial, governmental, commercial, research and development, or medical setting, including diagnostic, monitoring, or other medical products as that term is defined under the federal Food, Drug, and Cosmetic Act or equipment used for security, sensing, monitoring, or anti-terrorism purposes;

**(3)** A covered electronic device that is contained within a clothes washer, clothes dryer, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, or air purifier;

**(4)** Telephone of any type, including mobile telephones; or

**(5)** A personal digital assistant or P.D.A."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Cooper (120), **House Amendment No. 5** was adopted.

Representative Zimmerman requested a division of the question on **HCS SCS SB 720, as amended.**

On motion of Representative Smith (150), **Part I of HCS SCS SB 720, as amended,** was adopted by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz

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Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Schamhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 012

Avery	El-Amin	Harris 23	Haywood	Hobbs
Hunter	Page	Schneider	Spreng	Wildberger
Wright-Jones	Young			

VACANCIES: 002

On motion of Representative Smith (150), **Part II of HCS SCS SB 720, as amended**, was adopted by the following vote:

AYES: 097

Aull	Bivins	Bland	Brandom	Brown 50
Bruns	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Faith	Fares	Fisher	Franz
Funderburk	Grill	Grisamore	Guest	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lampe
Lembke	Loehner	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Onder	Parkinson
Parson	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self



Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Walton
Wells	Weter	Wilson 119	Wood	Wright 159
Yates	Mr Speaker			

NOES: 052

Baker 25	Baker 123	Bringer	Brown 30	Burnett
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Ervin	Fallert	Flook	Frame
George	Harris 23	Harris 110	Hodges	Holsman
Johnson	Komo	Kratky	Kuessner	LeVota
Liese	Lipke	Low 39	McClanahan	Meadows
Norr	Oxford	Page	Quinn 9	Roorda
Scavuzzo	Schieffer	Schoemehl	Shively	Storch
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 011

Avery	El-Amin	Haywood	Hobbs	Hunter
Lowe 44	Pearce	Robinson	Spreng	Wasson
Wright-Jones				

VACANCIES: 002

On motion of Representative Smith (150), **Part III of HCS SCS SB 720, as amended**, was adopted by the following vote:

AYES: 095

Bivins	Bland	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
Emery	Faith	Fares	Fisher	Franz
Funderburk	George	Grill	Grisamore	Guest
Hobbs	Hoskins	Hubbard	Hughes	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Parkinson
Pollock	Pratt	Quinn 7	Richard	Robb
Rucker	Ruestman	Ruzicka	Sater	Schaaf
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Tilley
Viebrock	Walsh	Wells	Weter	Whorton
Wilson 119	Wood	Wright 159	Yates	Mr Speaker

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NOES: 046

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Darrough	Daus	Donnelly
Ervin	Fallert	Flook	Frame	Harris 23
Harris 110	Holsman	Johnson	Komo	Kratky
Kuessner	LeVota	Low 39	McClanahan	Nasheed
Oxford	Pearce	Quinn 9	Roorda	Scavuzzo
Schieffer	Schoemehl	Shively	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walton
Wildberger	Witte	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 019

Avery	Baker 123	El-Amin	Haywood	Hodges
Hunter	Lowe 44	Page	Parson	Portwood
Robinson	Salva	Sander	Schad	Spreng
Threlkeld	Wallace	Wasson	Wright-Jones	

VACANCIES: 002

On motion of Representative Smith (150), **Part IV of HCS SCS SB 720, as amended**, was adopted by the following vote:

AYES: 148

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa

Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Self

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 011

Avery	El-Amin	Fallert	Haywood	Low 39
Meadows	Page	Robinson	Spreng	Wright-Jones
Young				

VACANCIES: 002

On motion of Representative Smith (150), **HCS SCS SB 720, as amended**, was read the third time and passed by the following vote:

AYES: 115

Aull	Baker 25	Bivins	Bland	Brandom
Brown 50	Bruns	Burnett	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Faith	Fallert	Fares	Fisher	Franz
Funderburk	Grill	Grisamore	Guest	Hobbs
Hodges	Hoskins	Hubbard	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kratky	Kraus	Lampe	Lembke	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wood
Wright 159	Yaeger	Yates	Zimmerman	Mr Speaker

NOES: 032

Baker 123	Bringer	Brown 30	Chappelle-Nadal	Darrough
Daus	Donnelly	Ervin	Flook	Frame
George	Harris 23	Holsman	Komo	
Kuessner	LeVota	McClanahan	Oxford	Page
Pearce	Quinn 9	Roorda	Scavuzzo	Schieffer

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Schoemehl	Self	Shively	Storch	Talboy
Witte	Zweifel			

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 013

Avery	El-Amin	Haywood	Hughes	Hunter
Low 39	Robinson	Rucker	Spreng	Vogt
Wallace	Wright-Jones	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SS SCS SB 711, with House Amendment No. 1, pending**, relating to property taxation, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **House Amendment No. 1** was adopted.

Representative Flook offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Section 137.115, Page 25, Line 7, by inserting the letter, "y" at the end of the word, "possessor"; and

Further amend said bill, section, page, Line 9, by deleting the words, "**possessor interest**" and inserting in lieu thereof the words, "**possessory interest**"; and

Further amend said bill, section, page, Line 13, by deleting the words, "**possessor interest**" and inserting in lieu thereof the words, "**possessory interest**"; and

Further amend said bill, section, page, Line 16, by deleting the words, "**possessor interest**" and inserting in lieu thereof the words, "**possessory interest**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Flook, **House Amendment No. 2** was adopted.

Representative St. Onge offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 6, Section 135.047, Line 8, by deleting the word "**clerk**" and inserting in lieu thereof the following:

"**recorder of deeds**"; and

Further amend said bill, Page 6, Section 135.047, Line 10, by deleting all of said line and inserting in lieu thereof the following:

**"3. The director shall be";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Portwood offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1  
to  
House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 1, Line 8, by inserting immediately after all of said line the following:

Further amend said bill, Sections 135.037 through 135.083, Pages 4-13, by deleting all of said sections from the bill; and

Further amend said bill, Section 137.073, Page 19, Line 163, by inserting after the word "a" the word **"recorded"**; and

Further amend said bill, section, and page, Line 164, by inserting after the word "majority" the words **"plus one"**; and

Further amend said bill, Section 137.082, Page 25, Line 83, by inserting after all of said section the following:

"137.106. 1. This section [may] **shall** be known and may be cited as "The Missouri Homestead Preservation Act".

2. As used in this section, the following terms shall mean:

(1) "Department", the department of revenue;

(2) "Director", the director of revenue;

(3) "Disabled", as such term is defined in section 135.010, RSMo;

(4) "Eligible owner", any individual owner of property who is sixty-five years old or older as of January first of the tax year in which the individual is claiming the credit or who is disabled, and who had an income of equal to or less than the maximum upper limit in the year prior to completing an application pursuant to this section; or

(a) In the case of a married couple owning property either jointly or as tenants by the entirety, or where only one spouse owns the property, such couple shall be considered an eligible taxpayer if both spouses have reached the age of sixty-five or if one spouse is disabled, or if one spouse is at least sixty-five years old and the other spouse is at least sixty years old, and the combined income of the couple in the year prior to completing an application pursuant to this section did not exceed the maximum upper limit; or

(b) In the case of joint ownership by unmarried persons or ownership by tenancy in common by two or more unmarried persons, such owners shall be considered an eligible owner if each person with an ownership interest individually satisfies the eligibility requirements for an individual eligible owner under this section and the combined income of all individuals with an interest in the property is equal to or less than the maximum upper limit in the year prior to completing an application under this section. If any individual with an ownership interest in the property fails to satisfy the eligibility requirements of an individual eligible owner or if the combined income of all individuals with interest in the property exceeds the maximum upper limit, then all individuals with an ownership interest in such property shall be deemed ineligible owners regardless of such other individual's ability to individually meet the eligibility requirements; or

(c) In the case of property held in trust, the eligible owner and recipient of the tax credit shall be the trust itself provided the previous owner of the homestead or the previous owner's spouse: is the settlor of the trust with respect to the homestead; currently resides in such homestead; and but for the transfer of such property would have satisfied the age, ownership, and maximum upper limit requirements for income as defined in subdivisions (7) and (8) of this subsection[;].

No individual shall be an eligible owner if the individual has not paid [their] **such individual's** property tax liability, if any, in full by the payment due date in any of the three prior tax years, except that a late payment of a property tax liability in any prior year shall not disqualify a potential eligible owner if such owner paid in full the tax liability and any and all penalties, additions and interest that arose as a result of such late payment; no individual shall be an eligible owner if such person filed a valid claim for the senior citizens property tax relief credit pursuant to sections 135.010 to 135.035, RSMo;

(5) "Homestead", as such term is defined pursuant to section 135.010, RSMo, except as limited by provisions of this section to the contrary. No property shall be considered a homestead if such property was improved since the most recent annual assessment by more than five percent of the prior year appraised value, except where an eligible owner of the property has made such improvements to accommodate a disabled person;

(6) "Homestead exemption limit", a percentage increase, rounded to the nearest hundredth of a percent, which shall be equal to the percentage increase to tax liability, not including improvements, of a homestead from one tax year to the next that exceeds a certain percentage set pursuant to subsection [10] 7 of this section. [For applications filed in 2005 or 2006, the homestead exemption limit shall be based on the increase to tax liability from 2004 to 2005. For applications filed between April 1, 2005, and September 30, 2006, an eligible owner, who otherwise satisfied the requirements of this section, shall not apply for the homestead exemption credit more than once during such period.] For applications filed [after 2006] **in 2008**, the homestead exemption limit shall be based on the increase to tax liability from two years prior to application to the year immediately prior to application. **For applications filed after 2008, the homestead exemption limit shall be based on the increase to tax liability from the base year to the year prior to the application year. For purposes of this subdivision, "base year" means the year prior to the first year in which the eligible owner's application was approved, or 2006, whichever is later;**

(7) "Income", federal adjusted gross income, and in the case of ownership of the homestead by trust, the income of the settlor applicant shall be imputed to the income of the trust for purposes of determining eligibility with regards to the maximum upper limit;

(8) "Maximum upper limit", in the calendar year 2005, the income sum of seventy thousand dollars; in each successive calendar year this amount shall be raised by the incremental increase in the general price level, as defined pursuant to article X, section 17 of the Missouri Constitution.

3. Pursuant to article X, section 6(a) of the Constitution of Missouri, if in the prior tax year, the property tax liability on any parcel of subclass (1) real property increased by more than the homestead exemption limit, without regard for any prior credit received due to the provisions of this section, then any eligible owner of the property shall receive a homestead exemption credit to be applied in the current tax year property tax liability to offset the prior year increase to tax liability that exceeds the homestead exemption limit, except as eligibility for the credit is limited by the provisions of this section. The amount of the credit shall be listed separately on each taxpayer's tax bill for the current tax year, or on a document enclosed with the taxpayer's bill. The homestead exemption credit shall not affect the process of setting the tax rate as required pursuant to article X, section 22 of the Constitution of Missouri and section 137.073 in any prior, current, or subsequent tax year.

4. [If application is made in 2005, any potential eligible owner may apply for the homestead exemption credit by completing an application through their local assessor's office. Applications may be completed between April first and September thirtieth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided to the assessor's office by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property; and

(4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value. The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the two prior tax years.

5. If application is made in 2005, the assessor, upon request for an application, shall:

(1) Certify the parcel number and owner of record as of January first of the homestead, including verification of the acreage classified as residential on the assessor's property record card;

(2) Obtain appropriate prior tax year levy codes for each homestead from the county clerks for inclusion on the form;

(3) Record on the application the assessed valuation of the homestead for the current tax year, and any new construction or improvements for the current tax year; and

(4) Sign the application, certifying the accuracy of the assessor's entries.

6. If application is made after 2005,] Any potential eligible owner may apply for the homestead exemption credit by completing an application. Applications may be completed between April first and October fifteenth of any tax year in order for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the homestead exemption credit application was completed. The application shall be on forms provided by the department. Forms also shall be made available on the department's Internet site and at all permanent branch offices and all full-time, temporary, or fee offices maintained by the department of revenue. The applicant shall attest under penalty of perjury:

- (1) To the applicant's age;
- (2) That the applicant's prior year income was less than the maximum upper limit;
- (3) To the address of the homestead property;
- (4) That any improvements made to the homestead, not made to accommodate a disabled person, did not total more than five percent of the prior year appraised value[; and
- (5)] .

The applicant shall also include with the application copies of receipts indicating payment of property tax by the applicant for the homestead property for the three prior tax years.

[7.] **5.** Each applicant shall send the application to the department by [September thirtieth] **October fifteenth** of each year for the taxpayer to be eligible for the homestead exemption credit in the tax year next following the calendar year in which the application was completed.

[8. If application is made in 2005, upon receipt of the applications, the department shall calculate the tax liability, adjusted to exclude new construction or improvements verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant has also filed a valid application for the senior citizens property tax credit, pursuant to sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit, and provide a list of all verified eligible owners to the county collectors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county collectors or county clerks in counties with a township form of government shall provide a list to the department of any verified eligible owners who failed to pay the property tax due for the tax year that ended immediately prior. Such eligible owners shall be disqualified from receiving the credit in the current tax year.

9. If application is made after 2005,] **6.** Upon receipt of the applications, the department shall calculate the tax liability, verify compliance with the maximum income limit, verify the age of the applicants, and make adjustments to these numbers as necessary on the applications. The department also shall disallow any application where the applicant also has filed a valid application for the senior citizens property tax credit under sections 135.010 to 135.035, RSMo. Once adjusted tax liability, age, and income are verified, the director shall determine eligibility for the credit and provide a list of all verified eligible owners to the county assessors or county clerks in counties with a township form of government by December fifteenth of each year. By January fifteenth, the county assessors shall provide a list to the department of any verified eligible owners who made improvements not for accommodation of a disability to the homestead and the dollar amount of the assessed value of such improvements. If the dollar amount of the assessed value of such improvements totaled more than five percent of the prior year appraised value, such eligible owners shall be disqualified from receiving the credit in the current tax year.

[10.] **7.** The director shall calculate the level of appropriation necessary [to] **and** set the homestead exemption limit at five percent when based on a year of general reassessment or at two and one-half percent when based on a year without general reassessment for the homesteads of all verified eligible owners, and provide such calculation to the speaker of the house of representatives, the president pro tempore of the senate, and the director of the office of budget and planning in the office of administration by January thirty-first of each year.

[11. For applications made in 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all but one-quarter of one percent of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year. The remaining one-quarter of one percent shall be distributed to the county assessment funds of each county on a proportional basis, based on the number of eligible owners in each county; such one-quarter percent distribution shall be delineated in any such appropriation as a separate line item in the total appropriation.]

8. If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

[12. After setting the homestead exemption limit for applications made in 2005, the director shall apply the limit to the homestead of each verified eligible owner and calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation and assessment fund allocation to the county collector's funds of each county or the treasurer ex officio collector's fund in counties with a township form of government where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued, plus the one-quarter of one percent distribution for the county assessment funds. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section plus the one-quarter of one percent distribution for the county assessment funds. Funds, at the direction of the county collector or the treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or the treasurer ex officio collector's fund or may be sent by mail to the collector of a county, or the treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued. In counties with a township form of government, the county clerk shall provide the treasurer ex officio collector a summary of the homestead exemption credit for each township for the purpose of distributing the total homestead exemption credit to each township collector in a particular county.

13.] 9. If, in any given year after 2005, the general assembly shall make an appropriation for the funding of the homestead exemption credit that is signed by the governor, then the director shall[, by July thirty-first of such year, set the homestead exemption limit. The limit shall be a single, statewide percentage increase to tax liability, rounded to the nearest hundredth of a percent, which, if applied to all homesteads of verified eligible owners who applied for the homestead exemption credit in the immediately prior tax year, would cause all of the amount of the appropriation, minus any withholding by the governor, to be distributed during that fiscal year] **determine the apportionment percentage by equally apportioning the appropriation among all eligible applicants on a percentage basis.** If no appropriation is made by the general assembly during any tax year or no funds are actually distributed pursuant to any appropriation therefor, then no homestead preservation credit shall apply in such year.

[14.] 10. After [setting the homestead exemption limit for applications made after 2005, the director shall apply the limit to the homestead of each verified eligible owner and] **determining the apportionment percentage, the director shall** calculate the credit to be associated with each verified eligible owner's homestead, if any. The director shall send a list of those eligible owners who are to receive the homestead exemption credit, including the amount of each credit, the certified parcel number of the homestead, and the address of the homestead property, to the county collectors or county clerks in counties with a township form of government by August thirty-first. Pursuant to such calculation, the director shall instruct the state treasurer as to how to distribute the appropriation to the county collector's fund of each county where recipients of the homestead exemption credit are located, so as to exactly offset each homestead exemption credit being issued. As a result of the appropriation, in no case shall a political subdivision receive more money than it would have received absent the provisions of this section. Funds, at the direction of the collector of the county or treasurer ex officio collector in counties with a township form of government, shall be deposited in the county collector's fund of a county or may be sent by mail to the collector of a county, or treasurer ex officio collector in counties with a township form of government, not later than October first in any year a homestead exemption credit is appropriated as a result of this section and shall be distributed as moneys in such funds are commonly distributed from other property tax revenues by the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government, so as to exactly offset each homestead exemption credit being issued.

[15.] 11. The department shall promulgate rules for implementation of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void. Any rule promulgated by the department shall in no way impact, affect, interrupt, or interfere with the performance of the required statutory duties of any county elected official, more



particularly including the county collector when performing such duties as deemed necessary for the distribution of any homestead appropriation and the distribution of all other real and personal property taxes.

[16.] **12.** In the event that an eligible owner dies or transfers ownership of the property after the homestead exemption limit has been set in any given year, but prior to January first of the year in which the credit would otherwise be applied, the credit shall be void and any corresponding moneys[, pursuant to subsection 12 of this section,] shall lapse to the state to be credited to the general revenue fund. In the event the collector of the county or the treasurer ex officio collector of the county in counties with a township form of government determines prior to issuing the credit that the individual is not an eligible owner because the individual did not pay the prior three years' property tax liability in full, the credit shall be void and any corresponding moneys[, under subsection 11 of this section,] shall lapse to the state to be credited to the general revenue fund.

[17. This section shall apply to all tax years beginning on or after January 1, 2005. This subsection shall become effective June 28, 2004.

18.] **13.** In accordance with the provisions of sections 23.250 to 23.298, RSMo, and unless otherwise authorized pursuant to section 23.253, RSMo:

(1) Any new program authorized under the provisions of this section shall automatically sunset six years after the effective date of this section; and

(2) This section shall terminate on September first of the year following the year in which any new program authorized under this section is sunset, and the revisor of statutes shall designate such sections and this section in a revision bill for repeal."; and ';

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Portwood, **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote:

AYES: 130

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Wallace	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Zweifel	Mr Speaker

NOES: 018

Burnett	Chappelle-Nadal	Daus	George	Holsman
Hughes	Johnson	LeVota	Lowe 44	Nasheed
Rucker	Skaggs	St. Onge	Talboy	Villa
Walsh	Yaeger	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Cooper 120	Dusenberg	El-Amin	Harris 23
Haywood	Hunter	Low 39	Marsh	Robinson
Spreng	Wright-Jones	Young		

VACANCIES: 002

Representative Zweifel offered **House Substitute Amendment No. 1 for House Amendment No. 3, as amended.**

Representative Yates raised points of order that **House Substitute Amendment No. 1 for House Amendment No. 3, as amended**, goes beyond the scope of the bill, is not a true substitute amendment and is in violation of Rule 46(b).

The Chair ruled the first point of order well taken.

On motion of Representative St. Onge, **House Amendment No. 3, as amended**, was adopted.

Representative Kingery offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Section 135.083, Page 13, Line 35, by inserting after all of said section the following:

"137.016. 1. As used in section 4(b) of article X of the Missouri Constitution, the following terms mean:

(1) "Residential property", all real property improved by a structure which is used or intended to be used for residential living by human occupants, vacant land in connection with an airport, land used as a golf course, and manufactured home parks, but residential property shall not include other similar facilities used primarily for transient housing. For the purposes of this section, "transient housing" means all rooms available for rent or lease for which the receipts from the rent or lease of such rooms are subject to state sales tax pursuant to section 144.020.1(6), RSMo;

(2) "Agricultural and horticultural property", all real property used for agricultural purposes and devoted primarily to the raising and harvesting of crops; to the feeding, breeding and management of livestock which shall include breeding, **showing**, and boarding of horses; to dairying, or to any other combination thereof; and buildings and structures customarily associated with farming, agricultural, and horticultural uses. Agricultural and horticultural property shall also include land devoted to and qualifying for payments or other compensation under a soil conservation or agricultural assistance program under an agreement with an agency of the federal government. Agricultural and horticultural property shall further include land and improvements, exclusive of structures, on privately owned airports that qualify as reliever airports under the Nation Plan of Integrated Airports System, to receive federal airport improvement project funds through the Federal Aviation Administration. Real property classified as forest croplands shall not be agricultural or horticultural property so long as it is classified as forest croplands and shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution;

(3) "Utility, industrial, commercial, railroad and other real property", all real property used directly or indirectly, for any commercial, mining, industrial, manufacturing, trade, professional, business, or similar purpose, including all property centrally assessed by the state tax commission but shall not include floating docks, portions of which are separately owned and the remainder of which is designated for common ownership and in which no one person or business entity owns more than five individual units. All other real property not included in the property listed in subclasses (1) and (2) of section 4(b) of article X of the Missouri Constitution, as such property is defined in this section, shall be deemed to be included in the term "utility, industrial, commercial, railroad and other real property".

2. Pursuant to article X of the state constitution, any taxing district may adjust its operating levy to recoup any loss of property tax revenue, except revenues from the surtax imposed pursuant to article X, section 6.2 of the constitution, as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units if such adjustment of the levy does not exceed the highest tax rate in effect subsequent to the 1980 tax year. For purposes of this section, loss in revenue shall include the difference between the revenue that would have been collected on such property under its classification prior to enactment of this section and the amount to be collected under its classification under this section. The county assessor of each county or city not within a county shall provide information to each taxing district within its boundaries regarding the difference in assessed valuation of such property as the result of such change in classification.

3. All reclassification of property as the result of changing the classification of structures intended to be used for residential living by human occupants which contain five or more dwelling units shall apply to assessments made after December 31, 1994.

4. Where real property is used or held for use for more than one purpose and such uses result in different classifications, the county assessor shall allocate to each classification the percentage of the true value in money of the property devoted to each use; except that, where agricultural and horticultural property, as defined in this section, also contains a dwelling unit or units, the farm dwelling, appurtenant residential-related structures and up to five acres immediately surrounding such farm dwelling shall be residential property, as defined in this section.

5. All real property which is vacant, unused, or held for future use; which is used for a private club, a not-for-profit or other nonexempt lodge, club, business, trade, service organization, or similar entity; or for which a determination as to its classification cannot be made under the definitions set out in subsection 1 of this section, shall be classified according to its immediate most suitable economic use, which use shall be determined after consideration of:

- (1) Immediate prior use, if any, of such property;
- (2) Location of such property;
- (3) Zoning classification of such property; except that, such zoning classification shall not be considered conclusive if, upon consideration of all factors, it is determined that such zoning classification does not reflect the immediate most suitable economic use of the property;
- (4) Other legal restrictions on the use of such property;
- (5) Availability of water, electricity, gas, sewers, street lighting, and other public services for such property;
- (6) Size of such property;
- (7) Access of such property to public thoroughfares; and
- (8) Any other factors relevant to a determination of the immediate most suitable economic use of such property.

6. All lands classified as forest croplands shall not, for taxation purposes, be classified as subclass (1), subclass (2), or subclass (3) real property, as such classes are prescribed in section 4(b) of article X of the Missouri Constitution and defined in this section, but shall be taxed in accordance with the laws enacted to implement section 7 of article X of the Missouri Constitution."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Kingery, **House Amendment No. 4** was adopted.

Representative Robb offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Page 24, Section 137.082, Line 83, by inserting after all of said line the following:

"137.092. 1. As used in this section, the following terms mean:

(1) "Personal property", any house trailer, manufactured home, [boat, vessel, floating home, floating structure,] airplane, or aircraft;

(2) "Rental or leasing facility", any manufactured home park, manufactured home storage facility, [marina or comparable facility providing dockage or storage space,] or any hangar or similar aircraft storage facility.

2. For all calendar years beginning on or after January 1, 2008, every owner of a rental or leasing facility shall, by January thirtieth of each year, furnish the assessor of the county in which the rental or leasing facility is located a list of the [personal property] **lessees** located at the rental or leasing facility on January first of each year. The list shall include:

(1) The name of the [owner of the personal property] **lessee**;

(2) The [owner's] **lessee's** address and county of residency[, if known];

(3) A description of the personal property located at the facility if the owner of the rental or leasing facility knows of or has been made aware of the nature of such personal property.

3. If the owner of a rental or leasing facility fails to submit the list by January thirtieth of each year, or fails to include all the information required by this section on the list, the valuation of the personal property that is not listed as required by this section and that is located at the rental or leasing facility shall be assessed to the owner of the rental or leasing facility.

4. The assessor of the county in which the rental or leasing facility is located shall also collect a penalty as additional tax on the assessed valuation of such personal property that is not listed as required by this section. The penalty shall be collected as follows:

Assessed valuation	Penalty
\$0 to \$1,000	\$10.00
\$1,001 to \$2,000	\$20.00
\$2,001 to \$3,000	\$30.00
\$3,001 to \$4,000	\$40.00
\$4,001 to \$5,000	\$50.00
\$5,001 to \$6,000	\$60.00
\$6,001 to \$7,000	\$70.00
\$7,001 to \$8,000	\$80.00
\$8,001 to \$9,000	\$90.00
\$9,001 and above	\$100.00

5. The funds derived from the penalty collected under this section shall be disbursed proportionately to any taxing entity authorized to levy a tax on such personal property. No rental or leasing facility owner penalized under this section shall be subject to any penalty authorized in section 137.280 or 137.345 for the same personal property in the same tax year."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Robb, **House Amendment No. 5** was adopted.

Representative Stevenson offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Section 163.044, Page 50, Line 13, by inserting after all of said line, the following:

**"Section 1. The director of the department of revenue shall collect a maximum fee of two cents per motor vehicle or driver license record for batch/bulk customer requests that meet the criteria enumerated in the Drivers Privacy and Protection Act."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cox assumed the Chair.

Representative Brown (30) offered **House Amendment No. 1 to House Amendment No. 6.**

Speaker Pro Tem Pratt assumed the Chair.

**House Amendment No. 1 to House Amendment No. 6** was withdrawn.

Representative Talboy offered **House Amendment No. 2 to House Amendment No. 6.**

*House Amendment No. 2  
to  
House Amendment No. 6*

AMEND House Amendment No. 6 to House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, Line 5, by deleting the word "two" and replacing with ".5".

On motion of Representative Talboy, **House Amendment No. 2 to House Amendment No. 6** was adopted by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 009

Avery	Cunningham 145	Denison	Kasten	Quinn 7
Richard	Self	Wells	Wright 159	

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PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 120	El-Amin	Haywood	McClanahan	Robinson
Spreng	Wasson	Wright-Jones		

VACANCIES: 002

Representative Brown (30) offered **House Amendment No. 3 to House Amendment No. 6.**

**House Amendment No. 3 to House Amendment No. 6** was withdrawn.

Representative Hobbs assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh

Whorton	Witte	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Cooper 120	El-Amin	George	Haywood
Robinson	Rucker	Spreng	Walton	Wildberger
Wright-Jones				

VACANCIES: 002

Speaker Jetton resumed the Chair.

On motion of Representative Stevenson, **House Amendment No. 6, as amended**, was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

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NOES: 002

Bringer                      Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 008

Cooper 120	El-Amin	Fallert	Haywood	Hughes
Robinson	Spreng	Wright-Jones		

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman	Zweifel		



PRESENT: 000

ABSENT WITH LEAVE: 013

El-Amin	Fares	Haywood	Hobbs	Hunter
Liese	Low 39	Pearce	Robinson	Schlottach
Spreng	Wasson	Wright-Jones		

VACANCIES: 002

On motion of Representative Sutherland, **HCS SS SCS SB 711, as amended**, was adopted by the following vote:

AYES: 151

Avery	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Walsh
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 005

Aull	Bringer	Lowe 44	Wallace	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 005

El-Amin	Haywood	Robinson	Spreng	Wright-Jones
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VACANCIES: 002

On motion of Representative Sutherland, **HCS SS SCS SB 711, as amended**, was read the third time and passed by the following vote:

AYES: 147

Avery	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Walsh	Walton	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 006

Aull	Bringer	Deeken	Lowe 44	Wallace
Whorton				

PRESENT: 000

ABSENT WITH LEAVE: 008

El-Amin	Hunter	Robinson	Ruestman	Schad
Spreng	Wasson	Wright-Jones		

VACANCIES: 002

Speaker Jetton declared the bill passed.

On motion of Representative Tilley, the House recessed until 2:30 p.m.

### AFTERNOON SESSION

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 2987 through House Resolution No. 3035

### THIRD READING OF SENATE BILL

**SCS SB 901**, relating to workers' compensation, was taken up by Representative Hunter.

Representative Fisher offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 901, Page 6, Section 287.230, Line 20, by inserting after all of said line the following:

**"Section 1. In applying the provisions of Section 287, it is the intent of the legislature to reject and abrogate the holding in State ex rel. Lakeman v. Siedlik, 872 S.W.2d 503 (Mo. App. W.D. 1994), and all cases citing, interpreting, applying, or following this case.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Burnett raised a point of order that **House Amendment No. 1** is not properly drafted.

The point of order was withdrawn.

Representative Burnett raised an additional point of order that **House Amendment No. 1** goes beyond the scope of the bill.

The Chair ruled the point of order not well taken.

Representative Hunter offered **House Substitute Amendment No. 1 for House Amendment No. 1**.

*House Substitute Amendment No. 1*  
for  
*House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 901, Section 287.230, Page 6, Line 20, by inserting immediately after said line the following:

**"Section 1. 1. The provisions of chapter 287, RSMo, shall not be construed as prohibiting an employer with fewer than fifty employees from procuring disability insurance for his or her workers provided the insurance the employer purchases is registered with and approved by the division of workers' compensation.**

**2. The division shall establish insurance requirements and verification procedures for employers who obtain disability insurance.**

**3. Any employer purchasing disability insurance shall not be required to pay the second injury fund surcharge as required by section 287.715."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett raised a point of order that **House Substitute Amendment No. 1 for House Amendment No. 1** is not a true substitute amendment.

The Chair ruled the point of order not well taken.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Haywood	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota

Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Corcoran	El-Amin	Moore	Pollock
Portwood	Robinson	Schoemehl	Spreng	Walton
Yaeger	Young	Zweifel		

VACANCIES: 002

**On motion of Representative Hunter, House Substitute Amendment No. 1 for House Amendment No. 1 was adopted by the following vote:**

AYES: 083

Baker 123	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Loehner	Marsh
May	McGhee	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 070

Aull	Avery	Baker 25	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Cox	Curls	Darrough	Daus	Donnelly
Dougherty	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Shively	Silvey
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman

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PRESENT: 000

ABSENT WITH LEAVE: 008

Corcoran	El-Amin	Moore	Robinson	Schoemehl
Spreng	Walton	Zweifel		

VACANCIES: 002

On motion of Representative Hunter, **SCS SB 901, as amended**, was read the third time and passed by the following vote:

AYES: 083

Avery	Baker 123	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Loehner
Marsh	May	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 069

Aull	Baker 25	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Cox	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Shively	Silvey	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	Corcoran	El-Amin	McGhee	Moore
Robinson	Schoemehl	Spreng	Walton	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Wilson (130) assumed the Chair.

Speaker Jetton resumed the Chair.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Bivins	Brandom	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 066

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

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PRESENT: 000

ABSENT WITH LEAVE: 008

Baker 123	Bruns	Dougherty	El-Amin	Moore
Robinson	Spreng	Tilley		

VACANCIES: 002

Representative Frame requested verification of the roll call on the motion to move the previous question.

The emergency clause was defeated by the following vote:

AYES: 070

Baker 123	Bivins	Brandom	Cooper 120	Cooper 155
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Loehner
Marsh	May	Munzlinger	Muschany	Nance
Nieves	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Smith 150	Stevenson	St. Onge	Thomson
Viebrock	Wallace	Wasson	Wells	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 084

Aull	Avery	Baker 25	Bland	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Corcoran	Cox	Curls	Darrough
Daus	Donnelly	Dusenberg	Fallert	Frame
George	Grill	Guest	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Low 39	Lowe 44	McClanahan	McGhee
Meadows	Meiners	Nasheed	Nolte	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schneider	Shively
Silvey	Skaggs	Smith 14	Storch	Stream
Sutherland	Swinger	Talboy	Threlkeld	Tilley
Todd	Villa	Vogt	Walsh	Walton
Weter	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	



PRESENT: 001

Schoemehl

ABSENT WITH LEAVE: 006

Cunningham 145

Dougherty

El-Amin

Moore

Robinson

Spreng

VACANCIES: 002

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1341**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SS SCS SB 711, as amended**, and requests the House recede from its position and, failing to do so, grant the Senate a conference thereon.

### BILL CARRYING REQUEST MESSAGE

**HCS SS SCS SB 711, as amended**, relating to property taxation, was taken up by Representative Sutherland.

Representative Sutherland moved that the House refuse to recede from its position on **HCS SS SCS SB 711, as amended**, and grant the Senate a conference.

Representative Skaggs made a substitute motion that the House refuse to recede from its position on **HCS SS SCS SB 711, as amended**, and grant the Senate a conference and the House conferees be bound to the House position on **House Amendment No. 6, as amended**.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**HCS SB 932**, relating to law enforcement, was taken up by Representative Grisamore.

Representative Pratt offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 932, Page 1, Section A, Line 2, by inserting after all of said line the following:

"542.276. 1. Any peace officer or prosecuting attorney may make application under section 542.271 for the issuance of a search warrant.

2. The application shall:

- (1) Be in writing;
- (2) State the time and date of the making of the application;
- (3) Identify the property, article, material, substance or person which is to be searched for and seized, in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
- (4) Identify the person, place, or thing which is to be searched, in sufficient detail and particularity that the officer executing the warrant can readily ascertain whom or what he or she is to search;
- (5) State facts sufficient to show probable cause for the issuance of a search warrant;
- (6) Be verified by the oath or affirmation of the applicant;
- (7) Be filed in the proper court;
- (8) Be signed by the prosecuting attorney of the county where the search is to take place, or his or her designated assistant.

3. The application may be supplemented by a written affidavit verified by oath or affirmation. Such affidavit shall be considered in determining whether there is probable cause for the issuance of a search warrant and in filling out any deficiencies in the description of the person, place, or thing to be searched or of the property, article, material, substance, or person to be seized. Oral testimony shall not be considered. The application may be submitted by facsimile or other electronic means.

4. The judge shall determine whether sufficient facts have been stated to justify the issuance of a search warrant. If it appears from the application and any supporting affidavit that there is probable cause to believe that property, article, material, substance, or person subject to seizure is on the person or at the place or in the thing described, a search warrant shall immediately be issued. The warrant shall be issued in the form of an original and two copies.

5. The application and any supporting affidavit and a copy of the warrant shall be retained in the records of the court from which the warrant was issued.

6. The search warrant shall:

- (1) Be in writing and in the name of the state of Missouri;
- (2) Be directed to any peace officer in the state;
- (3) State the time and date the warrant is issued;
- (4) Identify the property, article, material, substance or person which is to be searched for and seized, in sufficient detail and particularity that the officer executing the warrant can readily ascertain it;
- (5) Identify the person, place, or thing which is to be searched, in sufficient detail and particularity that the officer executing the warrant can readily ascertain whom or what he or she is to search;
- (6) Command that the described person, place, or thing be searched and that any of the described property, article, material, substance, or person found thereon or therein be seized or photographed or copied and within ten days after filing of the application, any photographs or copies of the items may be filed with the issuing court;
- (7) Be signed by the judge, with his or her title of office indicated.

7. A search warrant issued under this section may be executed only by a peace officer. The warrant shall be executed by conducting the search and seizure commanded. The search warrant issued under this section may be issued by facsimile or other electronic means.

8. A search warrant shall be executed as soon as practicable and shall expire if it is not executed and the return made within ten days after the date of the making of the application. **A search and any subsequent searches of the contents of any property, article, material, or substance seized and removed from the location of the execution of any search warrant during its execution may be conducted at any time during or after the execution of the warrant, subject to the continued existence of probable cause to search the property, article, material, or substance seized and removed. A search and any subsequent searches of the property, article, material, or substance seized and removed may be conducted after the time for delivering the warrant, return, and receipt to the issuing judge has expired. A supplemental return and receipt shall be delivered to the issuing judge upon final completion of any search which concludes after the expiration of time for delivering the original return and receipt.**

9. After execution of the search warrant, the warrant with a return thereon, signed by the officer making the search, shall be delivered to the judge who issued the warrant. The return shall show the date and manner of execution, what was seized, and the name of the possessor and of the owner, when he or she is not the same person, if known. The return shall be accompanied by a copy of the itemized receipt required by subsection 6 of section 542.291. The judge or clerk shall, upon request, deliver a copy of such receipt to the person from whose possession the property was taken and to the applicant for the warrant.

10. A search warrant shall be deemed invalid:

- (1) If it was not issued by a judge; or
- (2) If it was issued without a written application having been filed and verified; or

- (3) If it was issued without probable cause; or
- (4) If it was not issued in the proper county; or
- (5) If it does not describe the person, place, or thing to be searched or the property, article, material, substance, or person to be seized with sufficient certainty; or
- (6) If it is not signed by the judge who issued it; or
- (7) If it was not executed within the time prescribed by subsection 8 of this section."; and

Further amend the title and enacting clause accordingly.

Representative Scharnhorst assumed the Chair.

On motion of Representative Pratt, **House Amendment No. 1** was adopted.

Representative Harris (23) offered **House Amendment No. 2**.

Representative Jones (89) raised a point of order that **House Amendment No. 2** goes beyond the scope of the bill.

Representative Scharnhorst requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Portwood offered **House Amendment No. 3**.

Representative Witte raised a point of order that **House Amendment No. 3** goes beyond the scope of the underlying bill.

Representative Scharnhorst requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

Representative Hughes offered **House Amendment No. 4**.

Representative Kraus raised a point of order that **House Amendment No. 4** goes beyond the scope of the bill.

Representative Scharnhorst requested a parliamentary ruling.

The Parliamentary Committee ruled the point of order well taken.

On motion of Representative Grisamore, **HCS SB 932, as amended**, was adopted by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Todd	Viebrock	Villa
Vogt	Wallace	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Cooper 120	El-Amin	Funderburk	Hunter
Low 39	Meadows	Moore	Nieves	Pollock
Richard	Robinson	Salva	Spreng	Tilley
Walsh	Mr Speaker			

VACANCIES: 002

On motion of Representative Grisamore, **HCS SB 932, as amended**, was read the third time and passed by the following vote:

AYES: 138

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hughes
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meiners
Munzlinger	Muschany	Nance	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Portwood	Pratt	Quinn 7	Quinn 9
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Bland	Cooper 120	El-Amin	Funderburk
Hubbard	Hunter	Icet	Low 39	Lowe 44
Marsh	Meadows	Moore	Nasheed	Nieves
Pollock	Richard	Robinson	Salva	Spreng
Tilley	Vogt	Mr Speaker		

VACANCIES: 002

Representative Scharnhorst declared the bill passed.

Representative Jones (89) assumed the Chair.

**HCS SCS SB 1209**, relating to taxes and fees, was taken up by Representative Sutherland.

Representative Sutherland offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Page 28, Section 190.450, Lines 1 to 8, by deleting all of said lines; and

Further amend said bill, Page 29, Section 190.451, Lines 1 to 22, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Sutherland, **House Amendment No. 1** was adopted.

Representative Sutherland offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Page 3, Section 21.810, Line 55, by inserting after all of said line the following:

"32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The

director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149, RSMo, as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148, RSMo, by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035, RSMo. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040, RSMo, of a list of vendors and their affiliates who meet the conditions of section 144.635, RSMo, but refuse to collect the use tax levied pursuant to chapter 144, RSMo, on their sales delivered to this state;

**(9) The disclosure to the public of any information, returns, reports, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly.**

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070, RSMo, shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143, RSMo, or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri."; and

Further amend said bill, Page 15, Section 94.1011, Line 49, by inserting after all of said line the following:

"105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;



(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of canceling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130, RSMo; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, RSMo, of the state of Missouri;

(b) Is a lobbyist; or

(c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person's financial interest statement received payment; **and**

**(13) For members of the general assembly or any statewide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.**

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement, he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term "income" as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.

135.030. 1. As used in this section:

(1) The term "maximum upper limit" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of twenty-five thousand dollars. For [the] **all** calendar [year] **years** beginning **on or after** January 1, 2008, the maximum upper limit shall be the sum of twenty-seven thousand five hundred dollars;

(2) The term "minimum base" shall, for each calendar year after December 31, 1997, but before calendar year 2008, be the sum of thirteen thousand dollars. For [the] **all** calendar [year] **years** beginning **on or after** January 1, 2008, the minimum base shall be the sum of fourteen thousand three hundred dollars.

2. If the income on a return is equal to or less than the maximum upper limit for the calendar year for which the return is filed, the property tax credit shall be determined from a table of credits based upon the amount by which the total property tax described in section 135.025 exceeds the percent of income in the following list:

If the income on the return is:	The percent is:
Not over the minimum base	0 percent with credit not to exceed actual property tax or rent equivalent paid up to [\$750] <b>\$1,100</b>
Over the minimum base but not over the maximum upper limit	1/16 percent accumulative per \$300 from 0 percent to 4 percent.

The director of revenue shall prescribe a table based upon the preceding sentences. The property tax shall be in increments of twenty-five dollars and the income in increments of three hundred dollars. The credit shall be the amount rounded to the nearest whole dollar computed on the basis of the property tax and income at the midpoints of each increment. As used in this subsection, the term "accumulative" means an increase by continuous or repeated application of the percent to the income increment at each three hundred dollar level.

3. Notwithstanding subsection 4 of section 32.057, RSMo, the department of revenue or any duly authorized employee or agent shall determine whether any taxpayer filing a report or return with the department of revenue who has not applied for the credit allowed pursuant to section 135.020 may qualify for the credit, and shall notify any qualified claimant of the claimant's potential eligibility, where the department determines such potential eligibility exists.

135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. **No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, 2013.**"; and

Further amend said bill, Page 18, Section 135.610, Line 50, by inserting after all of said line the following:

"135.800. 1. The provisions of sections 135.800 to 135.830 shall be known and may be cited as the "Tax Credit Accountability Act of 2004".

2. As used in sections 135.800 to 135.830, the following terms mean:

(1) "Administering agency", the state agency or department charged with administering a particular tax credit program, as set forth by the program's enacting statute; where no department or agency is set forth, the department of revenue;

(2) "Agricultural tax credits", the agricultural product utilization contributor tax credit created pursuant to section 348.430, RSMo, the new generation cooperative incentive tax credit created pursuant to section 348.432, RSMo, and the wine and grape production tax credit created pursuant to section 135.700;

(3) "All tax credit programs", the tax credit programs included in the definitions of agricultural tax credits, business recruitment tax credits, community development tax credits, domestic and social tax credits, entrepreneurial tax credits, environmental tax credits, housing tax credits, redevelopment tax credits, and training and educational tax credits;

(4) "Business recruitment tax credits", the business facility tax credit created pursuant to sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created pursuant to sections 135.200 to 135.270, the business use incentives for large-scale development programs created pursuant to sections 100.700 to 100.850, RSMo, the development tax credits created pursuant to sections 32.100 to 32.125, RSMo, the rebuilding communities tax credit created pursuant to section 135.535, and the film production tax credit created pursuant to section 135.750;

(5) "Community development tax credits", the neighborhood assistance tax credit created pursuant to sections 32.100 to 32.125, RSMo, the family development account tax credit created pursuant to sections 208.750 to 208.775, RSMo, the dry fire hydrant tax credit created pursuant to section 320.093, RSMo, and the transportation development tax credit created pursuant to section 135.545;

(6) "Domestic and social tax credits", the youth opportunities tax credit created pursuant to section 135.460 and sections 620.1100 to 620.1103, RSMo, the shelter for victims of domestic violence created pursuant to section 135.550, the senior citizen or disabled person property tax credit created pursuant to sections 135.010 to 135.035, the special needs adoption tax credit created pursuant to sections 135.325 to 135.339, the maternity home tax credit created pursuant to section 135.600, and the shared care tax credit created pursuant to section 660.055, RSMo;

(7) "Entrepreneurial tax credits", the capital tax credit created pursuant to sections 135.400 to 135.429, the certified capital company tax credit created pursuant to sections 135.500 to 135.529, the seed capital tax credit created pursuant to sections 348.300 to 348.318, RSMo, the new enterprise creation tax credit created pursuant to sections 620.635 to 620.653, RSMo, the research tax credit created pursuant to section 620.1039, RSMo, the small business incubator tax credit created pursuant to section 620.495, RSMo, the guarantee fee tax credit created pursuant to section 135.766, and the new generation cooperative tax credit created pursuant to sections 32.105 to 32.125, RSMo;

(8) "Environmental tax credits", the charcoal producer tax credit created pursuant to section 135.313, the wood energy tax credit created pursuant to sections 135.300 to 135.311[, and the manufacturing and recycling flexible cellulose casing tax credit created pursuant to section 260.285, RSMo];

(9) "Housing tax credits", the neighborhood preservation tax credit created pursuant to sections 135.475 to 135.487, the low-income housing tax credit created pursuant to sections 135.350 to 135.363, and the affordable housing tax credit created pursuant to sections 32.105 to 32.125, RSMo;

(10) "Recipient", the individual or entity who is the original applicant for and who receives proceeds from a tax credit program directly from the administering agency, the person or entity responsible for the reporting requirements established in section 135.805;

(11) "Redevelopment tax credits", the historic preservation tax credit created pursuant to sections 253.545 to 253.561, RSMo, the brownfield redevelopment program tax credit created pursuant to sections 447.700 to 447.718, RSMo, the community development corporations tax credit created pursuant to sections 135.400 to 135.430, the infrastructure tax credit created pursuant to subsection 6 of section 100.286, RSMo, the bond guarantee tax credit created pursuant to section 100.297, RSMo, and the disabled access tax credit created pursuant to section 135.490;

(12) "Training and educational tax credits", the community college new jobs tax credit created pursuant to sections 178.892 to 178.896, RSMo[, the skills development account tax credit created pursuant to sections 620.1400 to 620.1460, RSMo, the mature worker tax credit created pursuant to section 620.1560, RSMo, and the sponsorship and mentoring tax credit created pursuant to section 135.348]."; and

Further amend said bill, Page 38, Section 478.466, Line 23, by inserting after all of said line the following:

"[135.348. 1. As used in this section, the following terms mean:

(1) "Approved program", a sponsorship and mentoring program established pursuant to this section and approved by the department of elementary and secondary education;

(2) "Eligible student", a resident pupil of a school district who is determined by the local school board to be eligible to participate in a sponsorship and mentoring program pursuant to this section and who participates in such program for no less than eight calendar months in the tax year for which a return is filed claiming a credit authorized in this section;

(3) "Net expenditures", only those amounts paid or incurred for the participation of an eligible student participating in an approved sponsorship and mentoring program less any amounts received by the qualified taxpayer from any source for the provision of a sponsorship and mentoring program for an eligible student;

(4) "Qualified taxpayer", an employer who makes expenditures pursuant to this section.

2. For taxable years commencing on or after January 1, 1998, a qualified taxpayer shall be allowed a credit against the tax imposed by chapter 143, RSMo, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, RSMo, to the extent of the lesser of two thousand dollars times the number of eligible students for which the qualified taxpayer is allowed a credit pursuant to this section or the net expenditures made directly or through a fund during a taxable year by the qualified taxpayer for the participation of an eligible student in an approved sponsorship and mentoring program established pursuant to this section. No credit shall be allowed for any amounts for which any other credit is claimed or allowed under any other provision of state law for the same net expenditures.

3. The tax credit allowed by this section shall be claimed by the qualified taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143, RSMo, after all other credits provided by law have been applied. Where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability shall not be refundable but may be carried forward to any of the taxpayer's four subsequent taxable years.

4. The department of elementary and secondary education shall establish, by rule, guidelines and criteria for approval of sponsorship and mentoring programs established by school districts and for determining the eligibility of students for participation in sponsorship and mentoring programs established pursuant to this section. Such determinations for eligibility of students shall be based upon a definition of an at-risk student as established by the department by rule.

5. A local school board may establish a sponsorship and mentoring program and apply to the department of elementary and secondary education for approval of such program. A tax credit may only be received pursuant to this section for expenditures for sponsorship and mentoring programs approved by the department. The school board of each district which has an approved program shall annually certify to the department of elementary and secondary education the number of eligible students participating in the program. The principal of any school in a district which has an approved program may recommend, to the local school board, those students who do not meet the definition of "at-risk" students established pursuant to this section, and the school board may submit the names of such students and the circumstances which justify the student's participation in an approved program to the department of elementary and secondary education for approval of such student's participation. If approved by the department, such students shall be considered eligible students for participation in an approved program.

6. The department of elementary and secondary education shall provide written notification to the department of revenue of each eligible student participating in an approved program pursuant to this section, the student's school district, the name of the qualified taxpayer approved to receive a tax credit on the basis of such eligible student's participation in an approved program pursuant to this section and the amount of such credit as determined in subsection 2 of this section. This section is subject to appropriations.]

[260.285. 1. Any manufacturer engaged in this state in production of a meat or poultry food product intended for human consumption that is recycling flexible cellulose casing manufactured from cotton linters used and consumed directly in the production of such food product shall be eligible for

a credit as defined in subsection 2 of this section. For purposes of this section, "cotton linters" means fibers from any plant or wood pulp material used for the creation of flexible cellulose casings.

2. The credit authorized in subsection 1 shall be equal to the amount of state sales or use taxes paid by a manufacturer to a retailer on such packaging material which is subsequently recycled by either the manufacturer or other person or entity to which the manufacturer conveys such packaging materials, less any consideration received by the manufacturer for such conveyance.

3. A manufacturer shall claim the refund in the month following the month in which the material has been recycled or conveyed for recycling. When claiming a credit pursuant to this section, a manufacturer shall provide a detailed accounting of the amount of packaging material recycled, amount of sales or use tax paid on such material, an affidavit attesting that the manufacturer is eligible pursuant to the provisions of this section for the credit being claimed, documentation that the activity constitutes recycling as certified by the director of the department of natural resources and any other documentation determined necessary by the director of the department of revenue. The director shall refund any valid credit claims within sixty days of receipt. If the director determines that a fraudulent claim for the credit has been filed, the director may assess a penalty in an amount not to exceed twice the amount of fraudulent credits claimed.

4. Payment of credits authorized by this section shall not alter the liability of a retailer regarding sales tax on such material. Credits authorized by this section shall be paid from funds appropriated for the refund of taxes.]"; and

Further amend said title, enacting clause and intersectional references accordingly.

**HCS SCS SB 1209, as amended, with House Amendment No. 2, pending**, was laid over.

## COMMITTEE REPORTS

**Special Committee on Financial Institutions**, Chairman Cunningham (145) reporting:

Mr. Speaker: Your Special Committee on Financial Institutions, to which was referred **SCS SB 865**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Healthcare Transformation**, Chairman Schaaf reporting:

Mr. Speaker: Your Special Committee on Healthcare Transformation, to which was referred **SS SCS SB 1283**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Special Committee on Student Achievement**, Chairman Muschany reporting:

Mr. Speaker: Your Special Committee on Student Achievement, to which was referred **SCS SCR 39**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SB 817**, begs leave to report it has examined the same and recommends that it **Do Pass**.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2224**

The Conference Committee appointed on Senate Substitute for Senate Committee Substitute for House Bill No. 2224 begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for Senate Committee Substitute for House Bill No. 2224;
2. That the House recede from its position on House Bill No. 2224;
3. That the attached Conference Committee Substitute for Senate Substitute for Senate Committee Substitute for House Bill No. 2224, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Kenny Jones  
/s/ Mike Parson  
/s/ Jeff Roorda  
/s/ Rodney Hubbard

FOR THE SENATE:

/s/ John Griesheimer  
/s/ Robert Mayer  
/s/ Jason Crowell  
/s/ Wes Shoemyer  
/s/ Ryan McKenna

**ADJOURNMENT**

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Wednesday, May 14, 2008.

**CORRECTION TO THE HOUSE JOURNAL**

**AFFIDAVIT**

I, State Representative Joe Smith, District 14, hereby state and affirm that my vote as recorded on Page 1501 to adopt House Amendment No. 23 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 930 & 947 in the House Journal for May 12, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 13th day of May 2008.

/s/ Joe Smith  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 13th day of May in the year 2008.

/s/ Megan Limbach  
Notary Public

### COMMITTEE MEETINGS

#### CONFERENCE COMMITTEE NOTICE

Thursday, May 15, 2008, 9:00 a.m. House Chamber south gallery.  
Public hearing to be held on: SCS HCS HB 2279

#### FISCAL REVIEW

Wednesday, May 14, 2008, 8:30 a.m. Hearing Room 1.  
Any bills presented to this committee.

#### FISCAL REVIEW

Thursday, May 15, 2008, 8:30 a.m. Hearing Room 1.  
Any bills presented to this committee.

#### FISCAL REVIEW

Friday, May 16, 2008, 8:30 a.m. Hearing Room 1.  
Any bills presented to this committee.

#### RULES - PURSUANT TO RULE 25(21)(f)

Wednesday, May 14, 2008, Hearing Room 1, 5:00 p.m. or upon afternoon adjournment.  
Any bill referred to the Committee on Rules.  
Executive session may follow. AMENDED.  
Public hearings to be held on: HCS SS SCS SB 1283, SCS SB 865,  
SCS SB 1185, HCS SCS SB 767, HCS SS SCS SB 726, SCS SCR 39

#### SPECIAL COMMITTEE ON IMMIGRATION

Wednesday, May 14, 2008, Hearing Room 7 upon evening adjournment.  
Executive session will be held.

## HOUSE CALENDAR

SEVENTY-SECOND DAY, WEDNESDAY, MAY 14, 2008

### HOUSE JOINT RESOLUTION FOR PERFECTION

HCS HJR 64 - Chappelle-Nadal

### HOUSE BILLS FOR PERFECTION

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - Levota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt



- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HB 1468 - Pratt
- 46 HCS HBs 1809 & 2173 - Ruzicka
- 47 HCS HB 2420 - Baker (123)
- 48 HCS HB 2421 - Meiners
- 49 HB 2555 - Pearce
- 50 HB 1484 - Muschany
- 51 HCS HB 1880 - Schaaf
- 52 HCS HB 1884 - Quinn (7)
- 53 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 54 HCS HB 2460 - Emery
- 55 HCS HB 2210 - Jones (89)
- 56 HB 2556 - Hubbard
- 57 HB 1539 - Jones (89)

#### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany
- 4 HCS HBs 1736 & 2320, (Fiscal Review 5-09-08) - Nolte

#### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

#### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

#### **SENATE JOINT RESOLUTIONS FOR THIRD READING**

- 1 SS SCS SJRs 34 & 30 - Bruns
- 2 SJR 45 - Hobbs

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SBs 753, 728, 906 & 1026 - Swinger
- 2 HCS SB 723 - Bruns
- 3 HCS SB 733 - Bruns
- 4 HCS SCS SB 760 - St. Onge
- 5 HCS SB 797 - May
- 6 SB 801 - Flook
- 7 HCS SB 820 - Schieffer
- 8 SCS SB 850 - Meiners
- 9 HCS SB 856 - Fallert
- 10 SB 896 - McGhee
- 11 SB 928 - Schad
- 12 SB 936 - Lembke
- 13 HCS SB 943 - Schoeller
- 14 SCS SB 951 - Spreng
- 15 SB 956 - Hobbs
- 16 HCS SB 978 - Pollock
- 17 SB 979 - Dusenberg
- 18 SB 980 - Flook
- 19 SB 991 - Schlottach
- 20 SB 999 - Parson
- 21 HCS SB 1002 - Curls
- 22 HCS SCS SB 1008 - Ervin
- 23 SCS SB 1009, E.C. - Wasson
- 24 SB 1016 - Pratt
- 25 HCS SCS SB 1033 - Sutherland
- 26 HCS SCS SB 1039 - Weter
- 27 SCS SB 1044 - McGhee
- 28 SB 1061 - Cooper (120)
- 29 SB 1073 - Faith
- 30 HCS SCS SB 1131 - Curls
- 31 HCS SB 1135 - Curls
- 32 SCS SB 1150 - Lembke
- 33 HCS SCS SBs 1153, 1154, 1155 & 1156 - Viebrock
- 34 SCS SB 1168 - Scharnhorst
- 35 SB 1177 - Cooper (155)
- 36 SB 1187 - Pollock
- 37 SB 1190 - Wasson
- 38 SCS SB 1235 - Pratt

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 SB 955 - Wildberger
- 4 SB 970 - May

5 HCS SB 1175 - Cox  
6 SB 1038 - Cox  
7 SB 885 - Cooper (120)  
8 SS SCS SB 1059 - Pearce  
9 SCS SB 1157, E.C. - Walsh  
10 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns  
11 HCS SS SCS SBs 818 & 795 - Smith (14)  
12 HCS SCS SBs 754 & 794 - Lipke  
13 HCS SCS SB 765, E.C. - Schneider  
14 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)  
15 SCS SB 873 - Pratt  
16 SS SB 1159 - Pratt  
17 HCS SCS SB 1209, as amended, HA 2, pending, E.C. - Sutherland  
18 HCS SB 925 - Aull  
19 HCS SCS SB 994, E.C. - Wallace  
20 HCS SCS SB 732, (Fiscal Review 5-09-08) - Jones (117)  
21 HCS SB 953 - Pearce  
22 HCS#2 SB 976, (Fiscal Review 5-09-08), E.C. - Stevenson  
23 SCS SB 1040 - Hobbs  
24 HCS SCS SB 1081, E.C. - Cooper (155)  
25 SCS SB 1107, E.C. - Pollock  
26 HCS SCS SB 1172 - Bruns  
27 HCS#2 SCS SB 781, E.C. - Stevenson  
28 SB 805 - Kingery  
29 HCS SCS SB 1170, E.C. - Swinger  
30 HCS SCS SBs 1181, 1100, 1262 & 1263, (Fiscal Review 5-12-08), E.C. - Schoeller  
31 SCS SB 788 - Wasson

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

1 SS HB 1678, as amended - Day  
2 SS#2 SCS HCS HB 1619, as amended - Jones (117)  
3 SCS HCS HB 2034, as amended - Munzlinger  
4 SS SCS HB 1384 & HB 2157 - Cox  
5 SS SCS HCR 30, (5-06-08, Pages 1347-1348) - Emery  
6 SCS HCS HB 1715, as amended, E.C. - Schad  
7 SCS HB 1311 - Hoskins  
8 SCS HB 1422 - St. Onge  
9 SCS HB 1450 - Roorda  
10 SCS HB 1570 - Franz  
11 SCS HB 1640 - Schoeller  
12 SCS HB 1689 - Wilson (130)  
13 SCS HCS HB 1690 - Wilson (130)  
14 SCS HCS HB 1804, as amended, E.C. - Corcoran  
15 SCS HCS HB 1807 - Cox  
16 SCS HB 1946 - Franz  
17 SCS HB 2047 - Curls

- 18 SCS HCS HB 2048, as amended - Zimmerman
- 19 SCS HB 2065 - Wasson

### **BILLS IN CONFERENCE**

- 1 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 2 CCR HCS SB 841, as amended - St. Onge
- 3 SB 1068, HA 1, HA 3 - Sater
- 4 HCS SB 1074, as amended - Smith (14)
- 5 CCR SS SCS HB 2224 - Jones (117)
- 6 SCS HCS HB 2279, as amended - Wright
- 7 HCS SS SCS SB 711, as amended - Sutherland

### **SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 29, (4-24-08, Page 1163) - Wright

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTY-SECOND DAY, WEDNESDAY, MAY 14, 2008

The House met pursuant to adjournment.

Speaker Pro Tem Pratt in the Chair.

Prayer by Reverend James Earl Jackson.

Gracious, Heavenly Father, You know each request before prayed. It seems, at times, while we are still talking about our needs, You answer us! Throughout this Session, You have graciously and generously answered the requests we have placed before You. We are thankful.

As it was from the first day, throughout the Session and even now, as we see the end rapidly approaching, we give thanks for the patience, compassion, mercy and grace You have liberally showered upon us. We have been exalted in success and humbled in failure, but our eyes remain on You; our Strength, our Help.

Lord God, we have dreamed big, accomplished much and yet we sense that there is much left for another day. Help us to finish our course well, with no regrets, assured that we have given our all for the betterment of the state and its citizens.

Now may the grace of our Lord be with us all. To You be glory, majesty, power and authority.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Misty Smith and Jack Troyer.

The Journal of the seventy-first day was approved as corrected by the following vote:

AYES: 120

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Denison	Dethrow	Donnelly
Dougherty	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Funderburk
Grill	Grisamore	Guest	Harris 110	Hobbs
Holsman	Hoskins	Hughes	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Munzlinger	Muschany	Nance
Nieves	Norr	Onder	Oxford	Page

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Parkinson	Parson	Pearce	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 008

Daus	George	Johnson	Lowe 44	Talboy
Whorton	Wildberger	Wright-Jones		

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 032

Avery	Bland	Brown 50	Cooper 120	Cooper 155
Corcoran	Deeken	Dixon	Dusenberg	Flook
Franz	Harris 23	Haywood	Hodges	Hubbard
Hunter	Kasten	Lampe	Low 39	Meadows
Moore	Nasheed	Nolte	Pollock	Portwood
Robinson	Roorda	Spreng	Viebrock	Vogt
Walton	Young			

VACANCIES: 002

### REFERRAL OF SENATE BILL

The following Senate Bill was referred to the Committee indicated:

**HCS#2 SS SCS SB 718** - Fiscal Review (Fiscal Note)

### COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SB 976** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SCS SBs 1181, 1100, 1262 & 1263** (Fiscal Note), begs leave to report it has examined the same and reports it **Without Recommendation**.

**Committee on Agriculture Policy, Chairman Quinn (7) reporting:**

Mr. Speaker: Your Committee on Agriculture Policy, to which was referred **SCR 35**, begs leave to report it has examined the same and recommends that it **Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**SUPPLEMENTAL CALENDAR**

MAY 14, 2008

**SENATE BILL FOR THIRD READING**

HCS#2 SS SCS SB 718, (Fiscal Review 5-14-08), E.C. - Pearce

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HCS HB 2058**, entitled:

An act to repeal sections 32.105, 67.1501, 67.1545, 99.820, 135.535, 135.562, 135.815, 135.967, 137.115, 348.436, 353.150, 447.708, 620.1878, and 620.1881, RSMo, section 99.825 as enacted by senate committee substitute for house committee substitute for house bill no. 741, ninety-fourth general assembly, first regular session, and section 99.825 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session, and to enact in lieu thereof eighteen new sections relating to tax incentives for business development.

With Senate Amendment No. 5, Senate Amendment No. 6 and Senate Amendment No. 7.

*Senate Amendment No. 5*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2058, Pages 26-31, Section 135.535, by striking all of said section from the bill; and

Further amend said bill, Pages 31-33, Section 135.562, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 6*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2058, Page 2, Section A, Line 4, by inserting immediately after said line the following:

"32.057. 1. Except as otherwise specifically provided by law, it shall be unlawful for the director of revenue, any officer, employee, agent or deputy or former director, officer, employee, agent or deputy of the department of revenue, any person engaged or retained by the department of revenue on an independent contract basis, any person to whom authorized or unauthorized disclosure is made by the department of revenue, or any person who lawfully or unlawfully inspects any report or return filed with the department of revenue or to whom a copy, an abstract or a portion of any report or return is furnished by the department of revenue to make known in any manner, to permit the inspection or use of or to divulge to anyone any information relative to any such report or return, any information obtained by an investigation conducted by the department in the discharge of official duty, or any information received by the director in cooperation with the United States or other states in the enforcement of the revenue laws of this state. Such

confidential information is limited to information received by the department in connection with the administration of the tax laws of this state.

2. Nothing in this section shall be construed to prohibit:

(1) The disclosure of information, returns, reports, or facts shown thereby, as described in subsection 1 of this section, by any officer, clerk or other employee of the department of revenue charged with the custody of such information:

(a) To a taxpayer or the taxpayer's duly authorized representative under regulations which the director of revenue may prescribe;

(b) In any action or proceeding, civil, criminal or mixed, brought to enforce the revenue laws of this state;

(c) To the state auditor or the auditor's duly authorized employees as required by subsection 4 of this section;

(d) To any city officer designated by ordinance of a city within this state to collect a city earnings tax, upon written request of such officer, which request states that the request is made for the purpose of determining or enforcing compliance with such city earnings tax ordinance and provided that such information disclosed shall be limited to that sufficient to identify the taxpayer, and further provided that in no event shall any information be disclosed that will result in the department of revenue being denied such information by the United States or any other state. The city officer requesting the identity of taxpayers filing state returns but not paying city earnings tax shall furnish to the director of revenue a list of taxpayers paying such earnings tax, and the director shall compare the list submitted with the director's records and return to such city official the name and address of any taxpayer who is a resident of such city who has filed a state tax return but who does not appear on the list furnished by such city. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information;

(e) To any employee of any county or other political subdivision imposing a sales tax which is administered by the state department of revenue whose office is authorized by the governing body of the county or other political subdivision to receive any and all records of the state director of revenue pertaining to the administration, collection and enforcement of its sales tax. The request for sales tax records and reports shall include a description of the type of report requested, the media form including electronic transfer, computer tape or disk, or printed form, and the frequency desired. The request shall be made by annual written application and shall be filed with the director of revenue. The director of revenue may set a fee to reimburse the department for the costs reasonably incurred in providing this information. Such city or county or any employee thereof shall be subject to the same standards for confidentiality as required for the department of revenue in using the information contained in the reports;

(f) To the director of the department of economic development or the director's duly authorized employees in discharging the director's official duties to certify taxpayers eligibility to claim state tax credits as prescribed by statutes;

(g) To any employee of any political subdivision, such records of the director of revenue pertaining to the administration, collection and enforcement of the tax imposed in chapter 149, RSMo, as are necessary for ensuring compliance with any cigarette or tobacco tax imposed by such political subdivision. The request for such records shall be made in writing to the director of revenue, and shall include a description of the type of information requested and the desired frequency. The director of revenue may charge a fee to reimburse the department for costs reasonably incurred in providing such information;

(2) The publication by the director of revenue or of the state auditor in the audit reports relating to the department of revenue of:

(a) Statistics, statements or explanations so classified as to prevent the identification of any taxpayer or of any particular reports or returns and the items thereof;

(b) The names and addresses without any additional information of persons who filed returns and of persons whose tax refund checks have been returned undelivered by the United States Post Office;

(3) The director of revenue from permitting the Secretary of the Treasury of the United States or the Secretary's delegates, the proper officer of any state of the United States imposing a tax equivalent to any of the taxes administered by the department of revenue of the state of Missouri or the appropriate representative of the multistate tax commission to inspect any return or report required by the respective tax provision of this state, or may furnish to such officer an abstract of the return or report or supply the officer with information contained in the return or disclosed by the report of any authorized investigation. Such permission, however, shall be granted on condition that the corresponding revenue statute of the United States or of such other state, as the case may be, grants substantially similar privileges to the director of revenue and on further condition that such corresponding statute gives confidential status to the material with which it is concerned;

(4) The disclosure of information, returns, reports, or facts shown thereby, by any person on behalf of the director of revenue, in any action or proceeding to which the director is a party or on behalf of any party to any action or proceeding pursuant to the revenue laws of this state when such information is directly involved in the action or



proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of such information as is pertinent to the action or proceeding and no more;

(5) The disclosure of information, returns, reports, or facts shown thereby, by any person to a state or federal prosecuting official, including, but not limited to, the state and federal attorneys general, or the official's designees involved in any criminal, quasi-criminal, or civil investigation, action or proceeding pursuant to the laws of this state or of the United States when such information is pertinent to an investigation, action or proceeding involving the administration of the revenue laws or duties of public office or employment connected therewith;

(6) Any school district from obtaining the aggregate amount of the financial institution tax paid pursuant to chapter 148, RSMo, by financial institutions located partially or exclusively within the school district's boundaries, provided that the school district request such disclosure in writing to the department of revenue;

(7) The disclosure of records which identify all companies licensed by this state pursuant to the provisions of subsections 1 and 2 of section 149.035, RSMo. The director of revenue may charge a fee to reimburse the department for the costs reasonably incurred in providing such records;

(8) The disclosure to the commissioner of administration pursuant to section 34.040, RSMo, of a list of vendors and their affiliates who meet the conditions of section 144.635, RSMo, but refuse to collect the use tax levied pursuant to chapter 144, RSMo, on their sales delivered to this state;

**(9) The disclosure to the public of any information, or facts shown thereby regarding the claiming of a state tax credit by a member of the Missouri general assembly or any state-wide elected public official.**

3. Any person violating any provision of subsection 1 or 2 of this section shall, upon conviction, be guilty of a class D felony.

4. The state auditor or the auditor's duly authorized employees who have taken the oath of confidentiality required by section 29.070, RSMo, shall have the right to inspect any report or return filed with the department of revenue if such inspection is related to and for the purpose of auditing the department of revenue; except that, the state auditor or the auditor's duly authorized employees shall have no greater right of access to, use and publication of information, audit and related activities with respect to income tax information obtained by the department of revenue pursuant to chapter 143, RSMo, or federal statute than specifically exists pursuant to the laws of the United States and of the income tax laws of the state of Missouri."; and

Further amend said bill, Page 26, Section 99.825, Line 27, by inserting immediately after said line the following:

"105.485. 1. Each financial interest statement required by sections 105.483 to 105.492 shall be on a form prescribed by the commission and shall be signed and verified by a written declaration that it is made under penalties of perjury; provided, however, the form shall not seek information which is not specifically required by sections 105.483 to 105.492.

2. Each person required to file a financial interest statement pursuant to subdivisions (1) to (12) of section 105.483 shall file the following information for himself, his spouse and dependent children at any time during the period covered by the statement, whether singularly or collectively; provided, however, that said person, if he does not know and his spouse will not divulge any information required to be reported by this section concerning the financial interest of his spouse, shall state on his financial interest statement that he has disclosed that information known to him and that his spouse has refused or failed to provide other information upon his bona fide request, and such statement shall be deemed to satisfy the requirements of this section for such financial interest of his spouse; and provided further if the spouse of any person required to file a financial interest statement is also required by section 105.483 to file a financial interest statement, the financial interest statement filed by each need not disclose the financial interest of the other, provided that each financial interest statement shall state that the spouse of the person has filed a separate financial interest statement and the name under which the statement was filed:

(1) The name and address of each of the employers of such person from whom income of one thousand dollars or more was received during the year covered by the statement;

(2) The name and address of each sole proprietorship which he owned; the name, address and the general nature of the business conducted of each general partnership and joint venture in which he was a partner or participant; the name and address of each partner or coparticipant for each partnership or joint venture unless such names and addresses are filed by the partnership or joint venture with the secretary of state; the name, address and general nature of the business conducted of any closely held corporation or limited partnership in which the person owned ten percent or more of any class of the outstanding stock or limited partners' units; and the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system in which the person owned two percent or more of any class of outstanding stock, limited partnership units or other equity interests;

(3) The name and address of any other source not reported pursuant to subdivisions (1) and (2) and subdivisions (4) to (9) of this subsection from which such person received one thousand dollars or more of income during the year covered by the statement, including, but not limited to, any income otherwise required to be reported on any tax return such person is required by law to file; except that only the name of any publicly traded corporation or limited partnership which is listed on a regulated stock exchange or automated quotation system need be reported pursuant to this subdivision;

(4) The location by county, the subclassification for property tax assessment purposes, the approximate size and a description of the major improvements and use for each parcel of real property in the state, other than the individual's personal residence, having a fair market value of ten thousand dollars or more in which such person held a vested interest including a leasehold for a term of ten years or longer, and, if the property was transferred during the year covered by the statement, the name and address of the persons furnishing or receiving consideration for such transfer;

(5) The name and address of each entity in which such person owned stock, bonds or other equity interest with a value in excess of ten thousand dollars; except that, if the entity is a corporation listed on a regulated stock exchange, only the name of the corporation need be listed; and provided that any member of any board or commission of the state or any political subdivision who does not receive any compensation for his services to the state or political subdivision other than reimbursement for his actual expenses or a per diem allowance as prescribed by law for each day of such service need not report interests in publicly traded corporations or limited partnerships which are listed on a regulated stock exchange or automated quotation system pursuant to this subdivision; and provided further that the provisions of this subdivision shall not require reporting of any interest in any qualified plan or annuity pursuant to the Employees' Retirement Income Security Act;

(6) The name and address of each corporation for which such person served in the capacity of a director, officer or receiver;

(7) The name and address of each not-for-profit corporation and each association, organization, or union, whether incorporated or not, except not-for-profit corporations formed to provide church services, fraternal organizations or service clubs from which the officer or employee draws no remuneration, in which such person was an officer, director, employee or trustee at any time during the year covered by the statement, and for each such organization, a general description of the nature and purpose of the organization;

(8) The name and address of each source from which such person received a gift or gifts, or honorarium or honoraria in excess of two hundred dollars in value per source during the year covered by the statement other than gifts from persons within the third degree of consanguinity or affinity of the person filing the financial interest statement. For the purposes of this section, a "gift" shall not be construed to mean political contributions otherwise required to be reported by law or hospitality such as food, beverages or admissions to social, art, or sporting events or the like, or informational material. For the purposes of this section, a "gift" shall include gifts to or by creditors of the individual for the purpose of canceling, reducing or otherwise forgiving the indebtedness of the individual to that creditor;

(9) The lodging and travel expenses provided by any third person for expenses incurred outside the state of Missouri whether by gift or in relation to the duties of office of such official, except that such statement shall not include travel or lodging expenses:

(a) Paid in the ordinary course of business for businesses described in subdivisions (1), (2), (5) and (6) of this subsection which are related to the duties of office of such official; or

(b) For which the official may be reimbursed as provided by law; or

(c) Paid by persons related by the third degree of consanguinity or affinity to the person filing the statement; or

(d) Expenses which are reported by the campaign committee or candidate committee of the person filing the statement pursuant to the provisions of chapter 130, RSMo; or

(e) Paid for purely personal purposes which are not related to the person's official duties by a third person who is not a lobbyist, a lobbyist principal or member, or officer or director of a member, of any association or entity which employs a lobbyist. The statement shall include the name and address of such person who paid the expenses, the date such expenses were incurred, the amount incurred, the location of the travel and lodging, and the nature of the services rendered or reason for the expenses;

(10) The assets in any revocable trust of which the individual is the settlor if such assets would otherwise be required to be reported under this section;

(11) The name, position and relationship of any relative within the first degree of consanguinity or affinity to any other person who:

(a) Is employed by the state of Missouri, by a political subdivision of the state or special district, as defined in section 115.013, RSMo, of the state of Missouri;

- (b) Is a lobbyist; or
- (c) Is a fee agent of the department of revenue;

(12) The name and address of each campaign committee, political committee, candidate committee, or continuing committee for which such person or any corporation listed on such person's financial interest statement received payment; **and**

**(13) For members of the general assembly or any state-wide elected public official, their spouses, and their dependent children, whether any state tax credits were claimed on the member's, spouse's, or dependent child's most recent state income tax return.**

3. For the purposes of subdivisions (1), (2) and (3) of subsection 2 of this section, an individual shall be deemed to have received a salary from his employer or income from any source at the time when he shall receive a negotiable instrument whether or not payable at a later date and at the time when under the practice of his employer or the terms of an agreement, he has earned or is entitled to anything of actual value whether or not delivery of the value is deferred or right to it has vested. The term "income" as used in this section shall have the same meaning as provided in the Internal Revenue Code of 1986, and amendments thereto, as the same may be or becomes effective, at any time or from time to time for the taxable year, provided that income shall not be considered received or earned for purposes of this section from a partnership or sole proprietorship until such income is converted from business to personal use.

4. Each official, officer or employee or candidate of any political subdivision described in subdivision (11) of section 105.483 shall be required to file a financial interest statement as required by subsection 2 of this section, unless the political subdivision biennially adopts an ordinance, order or resolution at an open meeting by September fifteenth of the preceding year, which establishes and makes public its own method of disclosing potential conflicts of interest and substantial interests and therefore excludes the political subdivision or district and its officers and employees from the requirements of subsection 2 of this section. A certified copy of the ordinance, order or resolution shall be sent to the commission within ten days of its adoption. The commission shall assist any political subdivision in developing forms to complete the requirements of this subsection. The ordinance, order or resolution shall contain, at a minimum, the following requirements with respect to disclosure of substantial interests:

(1) Disclosure in writing of the following described transactions, if any such transactions were engaged in during the calendar year:

(a) For such person, and all persons within the first degree of consanguinity or affinity of such person, the date and the identities of the parties to each transaction with a total value in excess of five hundred dollars, if any, that such person had with the political subdivision, other than compensation received as an employee or payment of any tax, fee or penalty due to the political subdivision, and other than transfers for no consideration to the political subdivision;

(b) The date and the identities of the parties to each transaction known to the person with a total value in excess of five hundred dollars, if any, that any business entity in which such person had a substantial interest, had with the political subdivision, other than payment of any tax, fee or penalty due to the political subdivision or transactions involving payment for providing utility service to the political subdivision, and other than transfers for no consideration to the political subdivision;

(2) The chief administrative officer and chief purchasing officer of such political subdivision shall disclose in writing the information described in subdivisions (1), (2) and (6) of subsection 2 of this section;

(3) Disclosure of such other financial interests applicable to officials, officers and employees of the political subdivision, as may be required by the ordinance or resolution;

(4) Duplicate disclosure reports made pursuant to this subsection shall be filed with the commission and the governing body of the political subdivision. The clerk of such governing body shall maintain such disclosure reports available for public inspection and copying during normal business hours.

135.305. A Missouri wood energy producer shall be eligible for a tax credit on taxes otherwise due under chapter 143, RSMo, except sections 143.191 to 143.261, RSMo, as a production incentive to produce processed wood products in a qualified wood producing facility using Missouri forest product residue. The tax credit to the wood energy producer shall be five dollars per ton of processed material. The credit may be claimed for a period of five years and is to be a tax credit against the tax otherwise due. **No new tax credits, provided for under sections 135.300 to 135.311, shall be authorized after June 30, 2013.**"; and

Further amend said bill, Section 135.682, Line 18, Page 35, by inserting after all of said line the following:

"135.800. 1. The provisions of sections 135.800 to 135.830 shall be known and may be cited as the "Tax Credit Accountability Act of 2004".

2. As used in sections 135.800 to 135.830, the following terms mean:

(1) "Administering agency", the state agency or department charged with administering a particular tax credit program, as set forth by the program's enacting statute; where no department or agency is set forth, the department of revenue;

(2) "Agricultural tax credits", the agricultural product utilization contributor tax credit created pursuant to section 348.430, RSMo, the new generation cooperative incentive tax credit created pursuant to section 348.432, RSMo, and the wine and grape production tax credit created pursuant to section 135.700;

(3) "All tax credit programs", the tax credit programs included in the definitions of agricultural tax credits, business recruitment tax credits, community development tax credits, domestic and social tax credits, entrepreneurial tax credits, environmental tax credits, housing tax credits, redevelopment tax credits, and training and educational tax credits;

(4) "Business recruitment tax credits", the business facility tax credit created pursuant to sections 135.110 to 135.150 and section 135.258, the enterprise zone tax benefits created pursuant to sections 135.200 to 135.270, the business use incentives for large-scale development programs created pursuant to sections 100.700 to 100.850, RSMo, the development tax credits created pursuant to sections 32.100 to 32.125, RSMo, the rebuilding communities tax credit created pursuant to section 135.535, and the film production tax credit created pursuant to section 135.750;

(5) "Community development tax credits", the neighborhood assistance tax credit created pursuant to sections 32.100 to 32.125, RSMo, the family development account tax credit created pursuant to sections 208.750 to 208.775, RSMo, the dry fire hydrant tax credit created pursuant to section 320.093, RSMo, and the transportation development tax credit created pursuant to section 135.545;

(6) "Domestic and social tax credits", the youth opportunities tax credit created pursuant to section 135.460 and sections 620.1100 to 620.1103, RSMo, the shelter for victims of domestic violence created pursuant to section 135.550, the senior citizen or disabled person property tax credit created pursuant to sections 135.010 to 135.035, the special needs adoption tax credit created pursuant to sections 135.325 to 135.339, the maternity home tax credit created pursuant to section 135.600, and the shared care tax credit created pursuant to section 660.055, RSMo;

(7) "Entrepreneurial tax credits", the capital tax credit created pursuant to sections 135.400 to 135.429, the certified capital company tax credit created pursuant to sections 135.500 to 135.529, the seed capital tax credit created pursuant to sections 348.300 to 348.318, RSMo, the new enterprise creation tax credit created pursuant to sections 620.635 to 620.653, RSMo, the research tax credit created pursuant to section 620.1039, RSMo, the small business incubator tax credit created pursuant to section 620.495, RSMo, the guarantee fee tax credit created pursuant to section 135.766, and the new generation cooperative tax credit created pursuant to sections 32.105 to 32.125, RSMo;

(8) "Environmental tax credits", the charcoal producer tax credit created pursuant to section 135.313, the wood energy tax credit created pursuant to sections 135.300 to 135.311[, and the manufacturing and recycling flexible cellulose casing tax credit created pursuant to section 260.285, RSMo];

(9) "Housing tax credits", the neighborhood preservation tax credit created pursuant to sections 135.475 to 135.487, the low-income housing tax credit created pursuant to sections 135.350 to 135.363, and the affordable housing tax credit created pursuant to sections 32.105 to 32.125, RSMo;

(10) "Recipient", the individual or entity who is the original applicant for and who receives proceeds from a tax credit program directly from the administering agency, the person or entity responsible for the reporting requirements established in section 135.805;

(11) "Redevelopment tax credits", the historic preservation tax credit created pursuant to sections 253.545 to 253.561, RSMo, the brownfield redevelopment program tax credit created pursuant to sections 447.700 to 447.718, RSMo, the community development corporations tax credit created pursuant to sections 135.400 to 135.430, the infrastructure tax credit created pursuant to subsection 6 of section 100.286, RSMo, the bond guarantee tax credit created pursuant to section 100.297, RSMo, and the disabled access tax credit created pursuant to section 135.490;

(12) "Training and educational tax credits", the community college new jobs tax credit created pursuant to sections 178.892 to 178.896, RSMo[, the skills development account tax credit created pursuant to sections 620.1400 to 620.1460, RSMo, the mature worker tax credit created pursuant to section 620.1560, RSMo, and the sponsorship and mentoring tax credit created pursuant to section 135.348].

135.805. 1. A recipient of a community development tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the title and location of the corresponding project, the estimated or actual time period for completion of the project, and all geographic areas impacted by the project.

2. A recipient of a redevelopment tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming whether the property is used for residential, commercial, or governmental purposes, and the projected or actual project cost, labor cost, and date of completion.

3. A recipient of a business recruitment tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the category of business by size, the address of the business headquarters and all offices located within this state, the number of employees at the time of the annual update, an updated estimate of the number of employees projected to increase as a result of the completion of the project, and the estimated or actual project cost.

4. A recipient of a training and educational tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the name and address of the educational institution used, the average salary of workers served as of such annual update, the estimated or actual project cost, and the number of employees and number of students served as of such annual update.

5. A recipient of a housing tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the address of the property, the fair market value of the property, as defined in subsection 6 of section 135.802, and the projected or actual labor cost and completion date of the project.

6. A recipient of an entrepreneurial tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the amount of investment and the names of the project, fund, and research project.

7. A recipient of an agricultural tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the type of agricultural commodity, the amount of contribution, the type of equipment purchased, and the name and description of the facility, except that if the agricultural credit is issued as a result of a producer member investing in a new generation processing entity then the new generation processing entity, and not the recipient, shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information confirming the type of agricultural commodity, the amount of contribution, the type of equipment purchased, and the name and description of the facility.

8. A recipient of an environmental tax credit shall annually, for a period of three years following issuance of tax credits, provide to the administering agency information detailing any change to the type of equipment purchased, if applicable, and any change to any environmental impact statement, if such statement is required by state or federal law.

9. The reporting requirements established in this section shall be due annually on June thirtieth of each year. No person or entity shall be required to make an annual report until at least one year after the credit issuance date.

10. Where the sole requirement for receiving a tax credit in the enabling legislation of any tax credit is an obligatory assessment upon a taxpayer or a monetary contribution to a particular group or entity, the reporting requirements provided in this section shall apply to the recipient of such assessment or contribution and shall not apply to the assessed nor the contributor.

11. Where the enacting statutes of a particular tax credit program or the rules of a particular administering agency require reporting of information that includes the information required in sections 135.802 to 135.810, upon reporting of the required information, the applicant shall be deemed to be in compliance with the requirements of sections 135.802 to 135.810. The administering agency shall notify in writing the department of economic development of the administering agency's status as custodian of any particular tax credit program and that all records pertaining to the program are available at the administering agency's office for review by the department of economic development.

12. The provisions of subsections 1 to 10 of this section shall apply beginning on June 30, 2005.

**13. Notwithstanding provisions of law to the contrary, every agency of this state charged with administering a tax credit program authorized under the laws of this state shall make available for public inspection the name of each tax credit recipient and the amount of tax credits issued to each such recipient.";** and

Further amend said bill, Page 90, Section 620.1881, Line 2, by inserting immediately after said line the following:

"[135.348. 1. As used in this section, the following terms mean:

(1) "Approved program", a sponsorship and mentoring program established pursuant to this section and approved by the department of elementary and secondary education;

(2) "Eligible student", a resident pupil of a school district who is determined by the local school board to be eligible to participate in a sponsorship and mentoring program pursuant to this section and who participates in such program for no less than eight calendar months in the tax year for which a return is filed claiming a credit authorized in this section;

(3) "Net expenditures", only those amounts paid or incurred for the participation of an eligible student participating in an approved sponsorship and mentoring program less any amounts

received by the qualified taxpayer from any source for the provision of a sponsorship and mentoring program for an eligible student;

(4) "Qualified taxpayer", an employer who makes expenditures pursuant to this section.

2. For taxable years commencing on or after January 1, 1998, a qualified taxpayer shall be allowed a credit against the tax imposed by chapter 143, RSMo, exclusive of the provisions relating to the withholding of tax as provided in sections 143.191 to 143.265, RSMo, to the extent of the lesser of two thousand dollars times the number of eligible students for which the qualified taxpayer is allowed a credit pursuant to this section or the net expenditures made directly or through a fund during a taxable year by the qualified taxpayer for the participation of an eligible student in an approved sponsorship and mentoring program established pursuant to this section. No credit shall be allowed for any amounts for which any other credit is claimed or allowed under any other provision of state law for the same net expenditures.

3. The tax credit allowed by this section shall be claimed by the qualified taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143, RSMo, after all other credits provided by law have been applied. Where the amount of the credit exceeds the tax liability, the difference between the credit and the tax liability shall not be refundable but may be carried forward to any of the taxpayer's four subsequent taxable years.

4. The department of elementary and secondary education shall establish, by rule, guidelines and criteria for approval of sponsorship and mentoring programs established by school districts and for determining the eligibility of students for participation in sponsorship and mentoring programs established pursuant to this section. Such determinations for eligibility of students shall be based upon a definition of an at-risk student as established by the department by rule.

5. A local school board may establish a sponsorship and mentoring program and apply to the department of elementary and secondary education for approval of such program. A tax credit may only be received pursuant to this section for expenditures for sponsorship and mentoring programs approved by the department. The school board of each district which has an approved program shall annually certify to the department of elementary and secondary education the number of eligible students participating in the program. The principal of any school in a district which has an approved program may recommend, to the local school board, those students who do not meet the definition of "at-risk" students established pursuant to this section, and the school board may submit the names of such students and the circumstances which justify the student's participation in an approved program to the department of elementary and secondary education for approval of such student's participation. If approved by the department, such students shall be considered eligible students for participation in an approved program.

6. The department of elementary and secondary education shall provide written notification to the department of revenue of each eligible student participating in an approved program pursuant to this section, the student's school district, the name of the qualified taxpayer approved to receive a tax credit on the basis of such eligible student's participation in an approved program pursuant to this section and the amount of such credit as determined in subsection 2 of this section. This section is subject to appropriations.]

[260.285. 1. Any manufacturer engaged in this state in production of a meat or poultry food product intended for human consumption that is recycling flexible cellulose casing manufactured from cotton lintners used and consumed directly in the production of such food product shall be eligible for a credit as defined in subsection 2 of this section. For purposes of this section, "cotton lintners" means fibers from any plant or wood pulp material used for the creation of flexible cellulose casings.

2. The credit authorized in subsection 1 shall be equal to the amount of state sales or use taxes paid by a manufacturer to a retailer on such packaging material which is subsequently recycled by either the manufacturer or other person or entity to which the manufacturer conveys such packaging materials, less any consideration received by the manufacturer for such conveyance.

3. A manufacturer shall claim the refund in the month following the month in which the material has been recycled or conveyed for recycling. When claiming a credit pursuant to this section, a manufacturer shall provide a detailed accounting of the amount of packaging material recycled, amount of sales or use tax paid on such material, an affidavit attesting that the manufacturer is eligible pursuant to the provisions of this section for the credit being claimed, documentation that the activity constitutes recycling as certified by the director of the department of natural resources and any other documentation determined necessary by the director of the department of revenue. The director shall

refund any valid credit claims within sixty days of receipt. If the director determines that a fraudulent claim for the credit has been filed, the director may assess a penalty in an amount not to exceed twice the amount of fraudulent credits claimed.

4. Payment of credits authorized by this section shall not alter the liability of a retailer regarding sales tax on such material. Credits authorized by this section shall be paid from funds appropriated for the refund of taxes.]; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2058, Page 26, Section 99.825, Line 27, by inserting immediately after said line the following:

**"105.1270. 1. Notwithstanding any provision to the contrary, a corporation, partnership, firm, trust, association, or other entity shall not be disqualified from receiving any state authorized tax credit, abatement, exemption, or loan on the basis that there exists a conflict of interest due to a relationship of any degree or affinity to any statewide elected official or member of the general assembly, when the person of relation holds less than a two percent equity interest in the entity standing to benefit from the credit, abatement, exemption, or loan.";** and

Further amend said bill, Page 35, Section 135.682, Line 18, by inserting after all of said line the following:

**"135.803. A taxpayer shall not be deemed ineligible for any state tax credit program in effect or hereinafter established on the basis that there exists a conflict of interest due to a relationship of any degree or affinity to any statewide elected official or member of the general assembly, when the person of relation holds less than a two percent equity interest in the taxpayer.";** and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SS SCS SB 711, as amended**: Senators Gibbons, Vogel, Griesheimer, Kennedy and Callahan.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 720, as amended**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives tht the Senate refuses to concur in **HSA 1 for HA 1 to SCS SB 901** and requests the House recede from its position on **HSA 1 for HA 1 to SCS SB 901** and take up and pass **SCS SB 901**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 930 & 947, as amended**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SB 1288, as amended**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

Speaker Jetton assumed the Chair.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HCS SS SCS SB 711:** Representatives Sutherland, Stream, Portwood, Talboy and Zweifel

Speaker Pro Tem Pratt resumed the Chair.

### **THIRD READING OF SENATE BILL**

**HCS SCS SB 765**, relating to political subdivisions, was taken up by Representative Schneider.

Representative Schneider offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 311.060, Page 5, Line 28, by inserting "**manufacture or**" immediately before "**sale**"; and

Further amend said substitute, Section 573.525, Page 9, Line 25, by deleting "**and/or**" and inserting in lieu thereof "**or**"; and

Further amend said substitute, Section 573.528, Page 10, Line 16, by deleting the comma "," after the word "**rental**"; and

Further amend said section, Page 12, Line 73, by deleting "**and/or**" and inserting in lieu thereof "**or**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 1** was adopted.

Representative Schneider offered **House Amendment No. 2**.

#### *House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 72.080, Page 3, Line 83, by inserting the following after all of said line:

"137.115. 1. All other laws to the contrary notwithstanding, the assessor or the assessor's deputies in all counties of this state including the city of St. Louis shall annually make a list of all real and tangible personal property taxable in the assessor's city, county, town or district. Except as otherwise provided in subsection 3 of this section and section 137.078, the assessor shall annually assess all personal property at thirty-three and one-third percent of its true value in money as of January first of each calendar year. The assessor shall annually assess all real property, including any new construction and improvements to real property, and possessory interests in real property at the percent of its true value in money set in subsection 5 of this section. The assessor shall annually assess all real property in the following manner: new assessed values shall be determined as of January first of each odd-numbered year and shall be entered in the assessor's books; those same assessed values shall apply in the following even-numbered year, except for new construction and property improvements which shall be valued as though they had been completed as of January



first of the preceding odd-numbered year. The assessor may call at the office, place of doing business, or residence of each person required by this chapter to list property, and require the person to make a correct statement of all taxable tangible personal property owned by the person or under his or her care, charge or management, taxable in the county. On or before January first of each even-numbered year, the assessor shall prepare and submit a two-year assessment maintenance plan to the county governing body and the state tax commission for their respective approval or modification. The county governing body shall approve and forward such plan or its alternative to the plan to the state tax commission by February first. If the county governing body fails to forward the plan or its alternative to the plan to the state tax commission by February first, the assessor's plan shall be considered approved by the county governing body. If the state tax commission fails to approve a plan and if the state tax commission and the assessor and the governing body of the county involved are unable to resolve the differences, in order to receive state cost-share funds outlined in section 137.750, the county or the assessor shall petition the administrative hearing commission, by May first, to decide all matters in dispute regarding the assessment maintenance plan. Upon agreement of the parties, the matter may be stayed while the parties proceed with mediation or arbitration upon terms agreed to by the parties. The final decision of the administrative hearing commission shall be subject to judicial review in the circuit court of the county involved. In the event a valuation of subclass (1) real property within any county with a charter form of government, or within a city not within a county, is made by a computer, computer-assisted method or a computer program, the burden of proof, supported by clear, convincing and cogent evidence to sustain such valuation, shall be on the assessor at any hearing or appeal. In any such county, unless the assessor proves otherwise, there shall be a presumption that the assessment was made by a computer, computer-assisted method or a computer program. Such evidence shall include, but shall not be limited to, the following:

(1) The findings of the assessor based on an appraisal of the property by generally accepted appraisal techniques; and

(2) The purchase prices from sales of at least three comparable properties and the address or location thereof. As used in this [paragraph] **subdivision**, the word "comparable" means that:

(a) Such sale was closed at a date relevant to the property valuation; and

(b) Such properties are not more than one mile from the site of the disputed property, except where no similar properties exist within one mile of the disputed property, the nearest comparable property shall be used. Such property shall be within five hundred square feet in size of the disputed property, and resemble the disputed property in age, floor plan, number of rooms, and other relevant characteristics.

2. Assessors in each county of this state and the city of St. Louis may send personal property assessment forms through the mail.

3. The following items of personal property shall each constitute separate subclasses of tangible personal property and shall be assessed and valued for the purposes of taxation at the following percentages of their true value in money:

(1) Grain and other agricultural crops in an unmanufactured condition, one-half of one percent;

(2) Livestock, twelve percent;

(3) Farm machinery, twelve percent;

(4) Motor vehicles which are eligible for registration as and are registered as historic motor vehicles pursuant to section 301.131, RSMo, and aircraft which are at least twenty-five years old and which are used solely for noncommercial purposes and are operated less than fifty hours per year or aircraft that are home built from a kit, five percent;

(5) Poultry, twelve percent; [and]

(6) Tools and equipment used for pollution control and tools and equipment used in retooling for the purpose of introducing new product lines or used for making improvements to existing products by any company which is located in a state enterprise zone and which is identified by any standard industrial classification number cited in subdivision (6) of section 135.200, RSMo, twenty-five percent;

**(7) Vehicles that are modified to transport persons who are physically disabled as defined in section 301.142, RSMo, if such vehicle is medically necessary to transport the owner's physically disabled family member or the owner of the vehicle if such owner is physically disabled, twelve percent.**

4. The person listing the property shall enter a true and correct statement of the property, in a printed blank prepared for that purpose. The statement, after being filled out, shall be signed and either affirmed or sworn to as provided in section 137.155. The list shall then be delivered to the assessor.

5. All subclasses of real property, as such subclasses are established in section 4(b) of article X of the Missouri Constitution and defined in section 137.016, shall be assessed at the following percentages of true value:

(1) For real property in subclass (1), nineteen percent;

(2) For real property in subclass (2), twelve percent; and

(3) For real property in subclass (3), thirty-two percent.

6. Manufactured homes, as defined in section 700.010, RSMo, which are actually used as dwelling units shall be assessed at the same percentage of true value as residential real property for the purpose of taxation. The percentage of assessment of true value for such manufactured homes shall be the same as for residential real property. If the county collector cannot identify or find the manufactured home when attempting to attach the manufactured home for payment of taxes owed by the manufactured home owner, the county collector may request the county commission to have the manufactured home removed from the tax books, and such request shall be granted within thirty days after the request is made; however, the removal from the tax books does not remove the tax lien on the manufactured home if it is later identified or found. A manufactured home located in a manufactured home rental park, rental community or on real estate not owned by the manufactured home owner shall be considered personal property. A manufactured home located on real estate owned by the manufactured home owner may be considered real property.

7. Each manufactured home assessed shall be considered a parcel for the purpose of reimbursement pursuant to section 137.750, unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, and assessed as a realty improvement to the existing real estate parcel.

8. Any amount of tax due and owing based on the assessment of a manufactured home shall be included on the personal property tax statement of the manufactured home owner unless the manufactured home has been converted to real property in compliance with section 700.111, RSMo, in which case the amount of tax due and owing on the assessment of the manufactured home as a realty improvement to the existing real estate parcel shall be included on the real property tax statement of the real estate owner.

9. The assessor of each county and each city not within a county shall use the trade-in value published in the October issue of the National Automobile Dealers' Association Official Used Car Guide, or its successor publication, as the recommended guide of information for determining the true value of motor vehicles described in such publication. In the absence of a listing for a particular motor vehicle in such publication, the assessor shall use such information or publications which in the assessor's judgment will fairly estimate the true value in money of the motor vehicle.

10. Before the assessor may increase the assessed valuation of any parcel of subclass (1) real property by more than fifteen percent since the last assessment, excluding increases due to new construction or improvements, the assessor shall conduct a physical inspection of such property.

11. If a physical inspection is required, pursuant to subsection 10 of this section, the assessor shall notify the property owner of that fact in writing and shall provide the owner clear written notice of the owner's rights relating to the physical inspection. If a physical inspection is required, the property owner may request that an interior inspection be performed during the physical inspection. The owner shall have no less than thirty days to notify the assessor of a request for an interior physical inspection.

12. A physical inspection, as required by subsection 10 of this section, shall include, but not be limited to, an on-site personal observation and review of all exterior portions of the land and any buildings and improvements to which the inspector has or may reasonably and lawfully gain external access, and shall include an observation and review of the interior of any buildings or improvements on the property upon the timely request of the owner pursuant to subsection 11 of this section. Mere observation of the property via a "drive-by inspection" or the like shall not be considered sufficient to constitute a physical inspection as required by this section.

13. The provisions of subsections 11 and 12 of this section shall only apply in any county with a charter form of government with more than one million inhabitants.

14. A county or city collector may accept credit cards as proper form of payment of outstanding property tax or license due. No county or city collector may charge surcharge for payment by credit card which exceeds the fee or surcharge charged by the credit card bank, processor, or issuer for its service. A county or city collector may accept payment by electronic transfers of funds in payment of any tax or license and charge the person making such payment a fee equal to the fee charged the county by the bank, processor, or issuer of such electronic payment.

15. Any county or city not within a county in this state may, by an affirmative vote of the governing body of such county, opt out of the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of the general reassessment, prior to January first of any year. No county or city not within a county shall exercise this opt-out provision after implementing the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, in a year of general reassessment. For the purposes of applying the provisions of this subsection, a political subdivision contained within two or more counties where at least one of such counties has

opted out and at least one of such counties has not opted out shall calculate a single tax rate as in effect prior to the enactment of house bill no. 1150 of the ninety-first general assembly, second regular session. A governing body of a city not within a county or a county that has opted out under the provisions of this subsection may choose to implement the provisions of this section and sections 137.073, 138.060, and 138.100, RSMo, as enacted by house bill no. 1150 of the ninety-first general assembly, second regular session, and section 137.073 as modified by [this act] **house committee substitute for senate substitute for senate committee substitute for senate bill no. 960, ninety-second general assembly, second regular session**, for the next year of general reassessment, by an affirmative vote of the governing body prior to December thirty-first of any year.

16. The governing body of any city of the third classification with more than twenty-six thousand three hundred but fewer than twenty-six thousand seven hundred inhabitants located in any county that has exercised its authority to opt out under subsection 15 of this section may levy separate and differing tax rates for real and personal property only if such city bills and collects its own property taxes or satisfies the entire cost of the billing and collection of such separate and differing tax rates. Such separate and differing rates shall not exceed such city's tax rate ceiling."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schneider, **House Amendment No. 2** was adopted.

Representative Bruns offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Sections 190.450 and 190.451, Page 4, by deleting all of said sections and inserting in lieu thereof the following:

**"190.450. For the purpose of funding wireless enhanced 911 service, the governing body of any county may impose a fee on every wireless number from any wireless device capable of accessing the 911 system operated within such county or in conjunction with other counties, the revenue generated therefrom to be deposited in the Wireless Service Provider Enhanced 911 Service Fund which shall be used by the department of public safety for 911 equipment, personnel, training, and related services pursuant to Section 1. The fee shall not exceed seventy-five cents per month per wireless telephone number, and shall be imposed subject to approval by a majority of the voters casting ballots in an election held under section 190.451.**

**190.451. 1. The governing body of any county may call for a ballot measure to be placed before the voters at any general or special election for the purpose of ratifying the fee imposed by the county under section 190.450. The ballot shall contain substantially the following language:**

**"Shall (name of county) impose a fee of (amount up to seventy-five cents per wireless number per month) on every wireless telephone number capable of accessing the 911 system operated by (name of county) or (name of counties), the revenue from which shall be deposited in the Wireless Service Provider Enhanced 911 Service Fund which may be used by the department of public safety only for 911 equipment, personnel, training, and related services:**

☐ YES

☐ NO

**If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO"."**

**2. The governing body of a county calling for an election under this section may call for an election for the purposes specified in this section at subsequent general or special elections until the ballot measure is approved.**

**3. If a majority of the votes cast on the ballot measure by the qualified voters voting thereon are in favor of such measure, the governing body of the county calling for the election is authorized to impose the fee in any amount up to the amount approved by the voters, and is further authorized to establish a special fund for use consistent with this section."; and**

Further amend said substitute, Section 573.540, Page 16, Line 4, by inserting immediately after said line the following:

"Section 1. 1. Funds collected pursuant to 190.450 and 190.451 shall be deposited into the Wireless Service Provider Enhanced 911 Service Fund, which is hereby created. The fund shall be administered by the department of public safety and used for 911 equipment, personnel, training, and related services. Payments received shall be distributed to the county from which the payment was collected based on the amount said county collected.

2. An oversight committee is hereby established to advise the department of public safety on distribution of the moneys collected under subsection 1 of this section. The oversight committee shall be composed of nine members: one member of the house of representatives from the majority party and one member of the house of representatives from the minority party, appointed by the speaker of the house of representatives; one member of the senate from the majority party and one member of the senate from the minority party, appointed by the president pro tem of the senate; the director of the department of public safety; two members representing the wireless service provider industry, appointed by the governor with the advice and consent of the senate; and two members representing fire, police, or emergency medical service or other public safety entities, appointed by the governor with the advice and consent of the senate."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wildberger offered **House Amendment No. 1 to House Amendment No. 3.**

*House Amendment No. 1*  
to  
*House Amendment No. 3*

AMEND House Amendment No. 3 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 2, Line 20, by striking "[payments received shall be distributed from which payment was collected based on the amount said county collected.]" and insert in lieu thereof "payments received shall be eighty percent to the county from which the payment was collected and twenty percent to be retained in the fund to be distributed by the oversight committee established in subsection 2 of this section.".

Representative Nieves assumed the Chair.

On motion of Representative Wildberger, **House Amendment No. 1 to House Amendment No. 3** was adopted by the following vote:

AYES: 111

Aull	Bivins	Brandom	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Day	Deeken	Dixon	Donnelly
El-Amin	Faith	Fallert	Fares	Fisher
Flook	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May
McClanahan	McGhee	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Oxford	Page
Parkinson	Parson	Pearce	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoemehl	Self	Shively	Silvey	Skaggs
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd

Viebrock	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Wildberger	Wilson 130	Witte
Wright 159	Wright-Jones	Yaeger	Zimmerman	Zweifel
Mr Speaker				

NOES: 039

Baker 25	Baker 123	Bringer	Brown 30	Daus
Davis	Denison	Dethrow	Dougherty	Dusenberg
Emery	Ervin	Frame	Franz	Funderburk
George	Grill	Grisamore	Haywood	Johnson
Jones 89	Kraus	Marsh	Meiners	Muschany
Onder	Pollock	Portwood	Pratt	Scavuzzo
Schoeller	Smith 14	Smith 150	Stevenson	Villa
Whorton	Wilson 119	Wood	Yates	

PRESENT: 000

ABSENT WITH LEAVE: 011

Avery	Bland	Harris 23	Hunter	Low 39
Meadows	Moore	Robinson	Spreng	Walton
Young				

VACANCIES: 002

On motion of Representative Bruns, **House Amendment No. 3, as amended**, was adopted.

Speaker Pro Tem Pratt resumed the Chair.

Representative Daus offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 15, Section 573.540, Line 4, by inserting after all of said line the following:

**"644.600. In addition to those sums authorized prior to August 28, 2008, the board of fund commissioners of the state of Missouri, as authorized by section 37(e) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.**

**644.601. In addition to those sums authorized prior to August 28, 2008, the board of fund commissioners of the state of Missouri, as authorized by section 37(g) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of ten million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.**

**644.602. In addition to those sums authorized prior to August 28, 2008, the board of fund commissioners of the state of Missouri, as authorized by section 37(h) of article III of the Constitution of the state of Missouri, may borrow on the credit of this state the sum of twenty million dollars in the manner described, and for the purposes set out, in chapter 640, RSMo, and in this chapter.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Daus, **House Amendment No. 4** was adopted.

Representative Lembke offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section A, Page 1, Line 3, by inserting immediately after all of said line the following:

**"66.450. No county with a charter form of government and with more than one million inhabitants shall enact any county ordinance governing operations or the establishment of areas within the unincorporated areas of such county for the collection and transfer of waste, trash, and other materials, including recovered materials or authorizing bids or proposals for the provision of such services, without approval by the voters of the county. Any such county ordinance shall be void unless approved by the voters of the county.";** and

Further amend said bill, Page 16, Section B, Line 1, by inserting after the word "Because" the following:

"immediate action is necessary to prevent a county ordinance governing waste collection from becoming effective on July first and because"; and

Further amend said bill, page, and section, Line 2, by inserting after the word "government," the following:

"the enactment of section 66.450 and"; and

Further amend said bill, page, and section, Line 5, by inserting after the first occurrence of the word "and" the following:

"the enactment of section 66.450 and"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Page offered **House Amendment No. 1 to House Amendment No. 5.**

Representative Jones (89) raised a point of order that **House Amendment No. 1 to House Amendment No. 5** is not germane and goes beyond the scope of the amendment.

The Chair ruled the point of order well taken.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Franz	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Silvey
Smith 14	Smith 150	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Robinson
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Donnelly	Dougherty	Flook	Funderburk
Johnson	Kasten	Meadows	Moore	Quinn 9
Self	Spreng	Stevenson	Walton	

VACANCIES: 002

On motion of Representative Lembke, **House Amendment No. 5** was adopted by the following vote:

AYES: 075

Baker 123	Bivins	Bland	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Davis	Day	Deeken
Denison	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Franz	Grisamore
Hobbs	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Munzlinger
Muschany	Nance	Nasheed	Nieves	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Ruestman	Ruzicka
Sander	Schaaf	Schad	Scharnhorst	Schoeller
Schoemehl	Self	Silvey	Stevenson	Stream
Sutherland	Thomson	Threlkeld	Tilley	Vogt
Wells	Wright 159	Yaeger	Yates	Mr Speaker

NOES: 066

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Daus	Dethrow
El-Amin	Fallert	Frame	George	Grill
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Norr	Oxford	Page
Quinn 9	Robb	Robinson	Roorda	Rucker
Sater	Scavuzzo	Schieffer	Schlottach	Schneider
Shively	Skaggs	Smith 14	Smith 150	St. Onge
Storch	Swinger	Talboy	Todd	Viebrock
Villa	Wallace	Walsh	Weter	Wildberger
Wilson 130	Witte	Wood	Wright-Jones	Young
Zimmerman				

PRESENT: 003

Darrough	Nolte	Wilson 119
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ABSENT WITH LEAVE: 017

Avery	Donnelly	Dougherty	Flook	Funderburk
Hoskins	Hubbard	Hunter	Johnson	Meadows
Moore	Salva	Spreng	Walton	Wasson
Whorton	Zweifel			

VACANCIES: 002

Representative Grisamore offered **House Amendment No. 6.**



*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 9, Section 407.311, Line 40, by inserting after all of said line the following:

"478.466. 1. In the sixteenth judicial circuit consisting of the county of Jackson, a majority of the court en banc may appoint one person, who shall possess the same qualifications as an associate circuit judge, to act as drug court commissioner. The commissioner shall be appointed for a term of four years. The compensation of the commissioner shall be the same as that of an associate circuit judge and[, subject to appropriation from the county legislature of the county wherein such circuit is wholly located, reimbursed from proceeds from the county antidrug sales tax adopted pursuant to section 67.547, RSMo. The county wherein such circuit is wholly located shall pay to and reimburse the state for the actual costs of the salary and benefits of the drug commissioner appointed pursuant to this section] **paid out of the same source as the compensation of all other drug court commissioners in the state.** The retirement benefits of such commissioner shall be the same as those of an associate circuit judge, payable in the same manner and from the same source as those of an associate circuit judge. Subject to approval or rejection by a circuit judge, the commissioner shall have all the powers and duties of a circuit judge. A circuit judge shall by order of record reject or confirm any order, judgment and decree of the commissioner within the time the judge could set aside such order, judgment or decree had the same been made by him. If so confirmed, the order, judgment or decree shall have the same effect as if made by the judge on the date of its confirmation.

2. The court administrator of the sixteenth judicial circuit shall charge and collect a surcharge of thirty dollars in all proceedings assigned to the drug commissioner for disposition, provided that the surcharge shall not be charged in any proceeding when costs are waived or are to be paid by the state, county or municipality. Moneys obtained from such surcharge shall be collected and disbursed in the manner provided by sections 488.010 to 488.020, RSMo, and payable to the drug commissioner for operation of the drug court.";

Further amend said title, enacting clause and intersectional references accordingly.

Representative Nieves resumed the Chair.

On motion of Representative Grisamore, **House Amendment No. 6** was adopted.

Representative Walsh offered **House Amendment No. 7.**

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 573.540, Page 16, Line 4, by inserting immediately after said line the following:

"701.355. The board shall have the following powers:

(1) To consult with engineering authorities and organizations who are studying and developing elevator safety codes;

(2) To adopt a code of rules and regulations governing construction, maintenance, testing, **licenses of elevator mechanics and elevator contractors**, and inspection of both new and existing installations. The board shall have the power to adopt a safety code only for those types of equipment defined in the rule. In promulgating the elevator safety code the board may consider any existing or future American National Standards Institute safety code affecting elevators as defined in sections 701.350 to 701.380, or any other nationally acceptable standard;

(3) To certify state, municipal inspectors and political subdivision inspectors, and special inspectors, who shall enforce the provisions of a safety code adopted pursuant to sections 701.350 to 701.380;

(4) To appoint a chief safety inspector together with a staff for the purpose of ensuring compliance with any safety code established pursuant to sections 701.350 to 701.380.";

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Walsh, **House Amendment No. 7** was adopted.

Representative Curls offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, In the Title, Line 1, by inserting immediately after "RSMo," the following:

"and section 89.120, as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 89.120, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session,"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after "RSMo," the following:

"and section 89.120, as enacted by senate committee substitute for house substitute for house committee substitute for house bills nos. 977 & 1608, eighty-ninth general assembly, second regular session, and section 89.120, as enacted by senate committee substitute for house bill no. 1352, eighty-ninth general assembly, second regular session,"; and

Further amend said bill, Section 72.080, Page 3, Line 83, by inserting after all of said section the following:

"89.120. 1. In case any building or structure is erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, or land is used in violation of sections 89.010 to 89.140 or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by an officer empowered to cause any building, structure, place, or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations made under authority of sections 89.010 to 89.140.

2. The owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee, or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor, or any other person who commits, takes part or assists in any such violation, or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable as follows:

(1) In any [municipality contained wholly or partially within a county] **city** with [a population of over six hundred thousand and less than nine] **more than three** hundred thousand **inhabitants**, by a fine of not less than ten dollars and not more than five hundred dollars for each and every day that such violation continues, or by imprisonment for ten days for each and every day such violation shall continue, or by both such fine and imprisonment in the discretion of the court. Notwithstanding the provisions of section 82.300, RSMo, however, for the second and subsequent offenses involving the same violation at the same building or premises, the punishment shall be a fine of not less than two hundred and fifty dollars or more than one thousand dollars for each and every day that such violation shall continue, or by imprisonment for ten days for each and every day such violation shall continue, or by both such fine and imprisonment in the discretion of the court;

(2) In all other municipalities, by a fine of not less than ten dollars and not more than [one] **two hundred fifty** dollars for each and every day that such violation continues, [but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars or more than two hundred and fifty dollars for each and every day that such violation shall continue] or by imprisonment for ten days for each and every day such violation shall continue, or by both such fine and imprisonment in the discretion of the court. **Notwithstanding the provisions of section 82.300, RSMo, for the second and subsequent offenses involving the same violation at the same building or premises, the punishment shall be a fine of not less than one hundred dollars or more than five hundred dollars for each and every day that such violation shall continue, or by imprisonment for ten days for each and every day such violation shall continue, or by both such fine and imprisonment in the discretion of the court.**

3. Any such person who, having been served with an order to remove any such violation, shall fail to comply with such order within ten days after such service or shall continue to violate any provision of the regulations made under

authority of sections 89.010 to 89.140 in the respect named in such order shall also be subject to a civil penalty of two hundred and fifty dollars.

[89.120. 1. In case any building or structure is erected, constructed, reconstructed, altered, converted or maintained, or any building, structure or land is used in violation of sections 89.010 to 89.140 or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of such building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises. Such regulations shall be enforced by an officer empowered to cause any building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition found to exist therein or thereat in violation of any provision of the regulations made pursuant to the authority of sections 89.010 to 89.140.

2. Except as provided in subsection 4 of this section, the owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars and not more than two hundred fifty dollars for each and every day that such violation continues or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court. Notwithstanding the provisions of section 82.300, RSMo, however, for the second and subsequent offenses involving the same violation at the same building or premises, the punishment shall be a fine of not less than one hundred dollars or more than five hundred dollars for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court.

3. Any such person who having been served with an order to remove any such violation shall fail to comply with such order within ten days after such service or shall continue to violate any provision of the regulations made under authority of sections 89.010 to 89.140 in the respect named in such order shall also be subject to a civil penalty of two hundred and fifty dollars.

4. In a city with a population of more than three hundred fifty thousand, the owner or general agent of a building or premises where a violation of any provision of said regulations has been committed or shall exist, or the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, or the owner, general agent, lessee or tenant of any part of the building or premises in which such violation has been committed or shall exist, or the general agent, architect, builder, contractor or any other person who commits, takes part or assists in any such violation or who maintains any building or premises in which any such violation shall exist shall be guilty of a misdemeanor punishable by a fine of not less than ten dollars and not more than two hundred fifty dollars for each and every day that such violation continues, but if the offense be willful on conviction thereof, the punishment shall be a fine of not less than one hundred dollars or more than five hundred dollars for each and every day that such violation shall continue or by imprisonment for ten days for each and every day such violation shall continue or by both such fine and imprisonment in the discretion of the court.]" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Curls, **House Amendment No. 8** was adopted.

Representative Richard offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, In the Title, Line 1, by inserting after "RSMo," the following:

"and section 99.825 as enacted by senate committee substitute for house committee substitute for house bill no. 741, ninety-fourth general assembly, first regular session, and section 99.825 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session,"; and

Further amend said bill, Page 1, Section A, Line 1, by inserting after "RSMo," the following:

"senate committee substitute for house committee substitute for house bill no. 741, ninety-fourth general assembly, first regular session, and section 99.825 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session,"; and

Further amend said bill, Page 3, Section 72.080, Line 83, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;

(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 or 3 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) [Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for any county with a charter form of government and with more than one million inhabitants, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six

such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9)] At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments. **Members appointed by the county executive or presiding commissioner prior to August 28, 2008, shall continue their service on the commission established in subsection 3 of this section without further appointment unless the county executive or presiding commissioner appoints a new member or members.**

3. [The commission] **Beginning August 28, 2008:**

(1) **In lieu of a commission created under subsection 2 of this section, any city, town, or village in a county with a charter form of government and with more than one million inhabitants, in a county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, or in a county of the first classification with more than one hundred eighty-five thousand but fewer than two hundred thousand inhabitants shall, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, create a commission consisting of twelve persons to be appointed as follows:**

(a) **Six members appointed either by the county executive or presiding commissioner; notwithstanding any provision of law to the contrary, no approval by the county's governing body shall be required;**

(b) **Three members appointed by the cities, towns, or villages in the county which have tax increment financing districts in a manner in which the chief elected officials of such cities, towns, or villages agree;**

(c) **Two members appointed by the school boards whose districts are included in the county in a manner in which the school boards agree; and**

(d) **One member to represent all other districts levying ad valorem taxes in the proposed redevelopment area in a manner in which all such districts agree.**

No city, town, or village subject to this subsection shall create or maintain a commission under subsection 2 of this section, except as necessary to complete a public hearing for which notice under section 99.830 has been provided prior to August 28, 2008, and to vote or make recommendations relating to redevelopment plans, redevelopment projects, or designation of redevelopment areas, or amendments thereto that were the subject of such public hearing;

(2) **Members appointed to the commission created under this subsection, except those six members appointed by either the county executive or presiding commissioner, shall serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, or designation of a redevelopment area is considered for approval by the commission. The six members appointed by either the county executive or the presiding commissioner shall serve on all such commissions until replaced. The city, town, or village that creates a commission under this subsection shall send notice thereof by certified mail to the county executive or**

presiding commissioner, to the school districts whose boundaries include any portion of the proposed redevelopment area, and to the other taxing districts whose boundaries include any portion of the proposed redevelopment area. The city, town, or village that creates the commission shall also be solely responsible for notifying all other cities, towns, and villages in the county that have tax increment financing districts and shall exercise all administrative functions of the commission. The school districts receiving notice from the city, town, or village shall be solely responsible for notifying the other school districts within the county of the formation of the commission. If the county, school board, or other taxing district fails to appoint members to the commission within thirty days after the city, town, or village sends the written notice, as provided herein, that it has convened such a commission or within thirty days of the expiration of any such member's term, the remaining duly appointed members of the commission may exercise the full powers of the commission.

4. (1) **Any commission created under this section**, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. [The]

(2) **Any commission created under subsection 2 of this section** shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.

(3) **Any commission created under subsection 3 of this section shall, within fifteen days of the receipt of a redevelopment plan meeting the minimum requirements of section 99.810, as determined by counsel to the city, town, or village creating the commission and a request by the applicable city, town, or village for a public hearing, fix a time and place for the public hearing referred to in section 99.825. The public hearing shall be held no later than seventy-five days from the commission's receipt of such redevelopment plan and request for public hearing. The commission shall vote and make recommendations to the governing body of the city, town, or village requesting the public hearing on all proposed redevelopment plans, redevelopment projects, and designations of redevelopment areas, and amendments thereto within thirty days following the completion of the public hearing. If the commission fails to vote within thirty days following the completion of the public hearing referred to in section 99.825 concerning the proposed redevelopment plan, redevelopment project, or designation of redevelopment area, or amendments thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the commission.**

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing **as required in subsection 4 of section 99.820** and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; **provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission.** Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant

to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Effective January 1, 2008, if, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.

[99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]" ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 9** was adopted.

Representative Scavuzzo offered **House Amendment No. 10**.



House Amendment No. 10

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 72.080, Page 3, Line 83, by inserting the following after all of said line:

"94.900. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, **or any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants**, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert amount) for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second **calendar** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created [in the state treasury], to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

94.902. 1. The governing body of any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants, **or any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants**, may impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation under chapter 144, RSMo. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, and shall be imposed solely for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city submits to the voters residing within the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the city of ..... (city's name) impose a citywide sales tax at a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087, RSMo. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust fund and which was collected in each city imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax. Such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested

in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of the department of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scavuzzo, **House Amendment No. 10** was adopted.

Representative Harris (110) offered **House Amendment No. 11**.

*House Amendment No. 11*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section A, Page 1, Line 3, by inserting the following after all of said line:

**"67.585. 1. The board of trustees of the public health center of any county of the first classification with more than one hundred ninety-eight thousand but fewer than one hundred ninety-nine thousand two hundred inhabitants may impose, by order or resolution, a sales tax on all retail sales made within the county which are subject to sales tax under chapter 144, RSMo. The tax authorized in this section shall not exceed one-half of one percent, shall only be imposed at the rate of one-fourth, three-eighths, or one-half of one percent, and shall be imposed solely for the purpose of funding the public health and safety projects and programs of the county public health center as established under sections 205.010 to 205.150, RSMo. The tax authorized in this section shall only be imposed in conjunction with a property tax reduction for each year in which the sales tax is imposed. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes.**

2. No such order or resolution adopted under this section shall become effective unless the board of trustees submits to the voters residing within the county at a state general, primary, or special election a proposal to authorize the board of trustees to impose a tax under this section. The ballot of submission shall contain substantially the following language: Shall the ..... (insert county name) public health center impose a countywide sales tax of ..... (insert amount) percent and reduce its total property tax levy annually by ..... (insert amount) percent of the total amount of sales tax revenue collected in the same tax year for the purpose of providing public health services for the improvement of the health of all inhabitants of the county?

3. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter after the director of revenue receives notification of adoption of the local sales tax. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax shall not become effective unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on the question, but no such question shall be resubmitted sooner than twelve months from the date the question was last submitted under this section.

4. All revenue collected under this section by the director of the department of revenue on behalf of any county public health center, except for one percent for the cost of collection which shall be deposited in the state's general revenue fund, shall be deposited in a special trust fund, which is hereby created and shall be known as the "County Public Health Center Improvement Sales Tax Fund", and shall be used solely for the designated purposes. Moneys in the fund shall not be deemed to be state funds, and shall not be commingled with any funds of the state. The director may make refunds from the amounts in the fund and credited to the county public health center for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such county public health center. Any funds in the special fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. The director of revenue shall keep accurate records of the moneys in the fund that were collected in each county imposing a sales tax under this section, and such records shall be open for inspection by the board of trustees and the public. Not later than the tenth day of each month the director of revenue shall distribute all moneys deposited in the trust funds during the preceding month to the treasury of the county public health center which levied the tax. Such funds shall be administered by the board of trustees of the county public health center.

5. (1) As used in this section, the term "total property tax levy" includes all ad valorem taxes originally requiring voter approval, plus an allowance for ad valorem taxes that will be billed but not collected in that calendar year.

(2) Each year in which a sales tax is imposed under this section, after determining its budget and within the limits set by the constitution and laws of this state for the following year and for the total property tax levy needed to collect the revenue required by such budget, the board of trustees of the county public health center shall reduce the total property tax levy in an amount sufficient to decrease the total property taxes it will collect. The reduction shall be one of the following percentages:

- (a) Fifty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (b) Sixty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (c) Seventy percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (d) Eighty percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (e) Ninety percent of the sales tax revenue collected in the tax year for which the property taxes are being levied;
- (f) One hundred percent of the sales tax revenue collected in the tax year for which the property taxes are being levied.

(3) In the event that, in the immediately preceding year, a county public health center collects either more or less sales tax revenue than the amount of sales tax revenue received by the county public health center during the first six months of the current year multiplied by two, the county public health center shall adjust its total property tax levy for the current year to reflect such increase or decrease.

(4) The tax rate for county public health centers levying a sales tax under this section shall be computed in the following manner:

(a) Divide the amount of the sales tax revenue required for reduction under this subsection by the total assessed valuation of the county and multiply by one hundred to determine the amount of property tax rate reduction; and

(b) Subtract such property tax rate reduction from the tax rate ceiling for each class of property or subclass of real property.

6. The board of trustees of any county public health center that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the county. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Whenever the board of trustees of any county public health center that has adopted the sales tax authorized in this section receives a petition, signed by a number of registered voters of the county equal to at least ten percent of the number of registered voters of the county voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the board shall submit to the voters of the county a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, the repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

8. If the tax is repealed or terminated by any means, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes, and the county public health center shall notify the director of the department of revenue of the action at least ninety days before the effective date of the repeal and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such county, the director shall remit the balance in the account to the county public health center and close the account of that county public health center. The director shall notify each county public health center of each instance of any amount refunded or any check redeemed from receipts due the county public health center.

9. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Harris (110), **House Amendment No. 11** was adopted.

Representative Nance offered **House Amendment No. 12**.

*House Amendment No. 12*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 190.451, Page 4, Line 22, by inserting after all of said section, the following:

"302.341. **1.** If a Missouri resident charged with a moving traffic violation of this state or any county or municipality of this state fails to dispose of the charges of which [he] **the resident** is accused through authorized prepayment of fine and court costs and fails to appear on the return date or at any subsequent date to which the case has been continued, or without good cause fails to pay any fine or court costs assessed against [him] **the resident** for any such violation within the period of time specified or in such installments as approved by the court or as otherwise provided by law, any court having jurisdiction over the charges shall within ten days of the failure to comply inform the defendant by ordinary mail at the last address shown on the court records that the court will order the director of revenue to suspend the defendant's driving privileges if the charges are not disposed of and fully paid within thirty days from the

date of mailing. Thereafter, if the defendant fails to timely act to dispose of the charges and fully pay any applicable fines and court costs, the court shall notify the director of revenue of such failure and of the pending charges against the defendant. Upon receipt of this notification, the director shall suspend the license of the driver, effective immediately, and provide notice of the suspension to the driver at the last address for the driver shown on the records of the department of revenue. Such suspension shall remain in effect until the court with the subject pending charge requests setting aside the noncompliance suspension pending final disposition, or satisfactory evidence of disposition of pending charges and payment of fine and court costs, if applicable, is furnished to the director by the individual. Upon proof of disposition of charges and payment of fine and court costs, if applicable, and payment of the reinstatement fee as set forth in section 302.304, the director shall reinstate the license. The filing of financial responsibility with the bureau of safety responsibility, department of revenue, shall not be required as a condition of reinstatement of a driver's license suspended solely under the provisions of this section.

**2.** If any city, town, or village receives more than [forty-five] **thirty-five** percent of its [total] annual **general operating** revenue from fines and court costs for traffic violations occurring on state highways, all revenues from such violations in excess of [forty-five] **thirty-five** percent of the [total] annual **general operating** revenue of the city, town, or village shall be sent to the director of the department of revenue and shall be distributed annually to the schools of the county in the same manner that proceeds of all penalties, forfeitures and fines collected for any breach of the penal laws of the state are distributed. For the purpose of this section the words "state highways" shall mean any state or federal highway, including any such highway continuing through the boundaries of a city, town or village with a designated street name other than the state highway number. **If any city, town, or village fails to send such excess revenues to the director of the department of revenue in a timely fashion which shall be set forth by the director by rule, such city, town, or village may submit to an annual audit by the state auditor under the authority of article IV, section 13 of the Missouri Constitution. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.**

**3.** Subsection 2 of this section shall not apply before January 1, 2010, to any city, town, or village located in any county with a charter form of government and with more than six hundred thousand but fewer than seven hundred thousand inhabitants."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Nance, **House Amendment No. 12** was adopted by the following vote:

AYES: 138

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 86	Curls	Darrough	Daus	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hughes	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Munzlinger	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood

Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Skaggs	Smith 14	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman	Zweifel		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Baker 123	Bruns	Cunningham 145	Day
Hobbs	Hubbard	Hunter	Johnson	Marsh
Moore	Muschany	Nasheed	Robinson	Scharnhorst
Silvey	Smith 150	Spreng	Stevenson	Walton
Wildberger	Wright-Jones	Mr Speaker		

VACANCIES: 002

### Representative May offered **House Amendment No. 13.**

#### *House Amendment No. 13*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 72.080, Page 3, Line 83, by inserting after all of said section and line the following:

"115.087. 1. In each county which does not have a board of election commissioners, the election judges shall be selected from lists provided by the county committee of each major political party or **if no such adequate list is provided by the county committee, then the judges chosen for the political party or parties whose county committee failed to provide an adequate list may be selected** as authorized pursuant to section 115.081. Not later than December tenth in each year in which county committeemen are elected, the county committee of each major political party shall submit to the election authority a list of persons qualified to serve as election judges in double the number required to hold a general election in the county. For each election, the election authority shall select and appoint the number of judges required to hold the election. If a county committee fails to present the prescribed number of names of qualified persons by the time prescribed, the election authority may select and appoint the number of judges provided by law for the county committee's party. If the election authority deems any person on a list to be unqualified, the election authority may request the county committee which submitted the list to furnish another name.

2. The state chairperson of each established political party may, in jurisdictions where no county committee exists and where the county clerk is the election authority, submit a list of persons qualified to serve as election judges to the county clerk. The county clerk may select and appoint additional judges from such list pursuant to section 115.081.

3. County clerks may compile a list of persons who claim no political affiliation and who volunteer to be election judges. A county clerk may select and appoint additional judges from such list pursuant to section 115.081."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative May, **House Amendment No. 13** was adopted.

Representative Cooper (120) offered **House Amendment No. 14**.

*House Amendment No. 14*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 1, Section A, Line 3, by inserting after said line the following:

**"64.1000. 1. Sections 64.1000 to 64.1042 shall be known as the "Missouri County Planning Act".**

**2. Sections 64.1000 to 64.1042 provide for the enactment of plans and regulations in counties for the protection of the public health, safety and welfare, and are not intended to prevent the enactment or enforcement of additional laws and regulations on the same subject which are not in conflict with the provisions of these sections. These sections shall be broadly construed to include any powers that are reasonably expedient to the achievement of these purposes. The enumeration of powers in these sections shall not be exclusive, nor be a limit on the general authority conferred on counties to adopt ordinances.**

**64.1003. As used in sections 64.1000 to 64.1042, the following terms shall mean:**

**(1) "Agency", a body with the authority to produce public improvements contemplated under the comprehensive plan;**

**(2) "Area plan", a part of a comprehensive plan that provides specific planning and design proposals for a defined geographic area;**

**(3) "Building line" or "building setback line", the line within a property which defines a horizontal distance to be provided between an exterior building wall or building support and the adjacent property line;**

**(4) "Flood plain", an area along a stream or other water course subject to periodic or intermittent flooding, the limits of which are designated on maps by federal, state, or county government based on engineering studies and determinations and adopted by the local legislative authority;**

**(5) "Major street plan", a plan established under sections 64.1000 to 64.1042 defining the system of highways, streets, and drainage systems, including any amendments or additions resulting from the approval of subdivision plats and the subsequent filing of such approved plans;**

**(6) "Public improvement", any improvement, facility, or service together with its associated public site or right-of-way necessary to provide transportation, education, park or recreation, drainage, public or private utilities, energy, or other services which benefit the public;**

**(7) "Nonconforming use", a use of any principal or accessory building, structure, or land which was lawfully established but which does not presently conform to the county's land development regulations;**

**(8) "Subdivision", any land, vacant or improved, which is divided or proposed to be divided into two or more lots, parcels, or tracts for the purpose of offer, sale, lease, or development, whether immediate or future. "Subdivision" includes the division of land for residential or nonresidential purposes, whether by deed, metes and bounds description, devise, intestacy, lease, map, plat, or other recorded instrument. "Subdivision" does not include condominiums or the division of land into parcels for cemetery purposes.**

**64.1006. 1. A planning commission may be established by the procedures provided in subsections 2 or 3 of this section.**

**2. Any county in this state may make, adopt, amend, and carry out a county plan and any county commission may establish and appoint a planning commission with the powers and duties as set forth in sections 64.1000 to 64.1042.**

**3. Any group of registered voters from any county not having a planning commission may circulate a petition for the formation of a planning commission.**

**(1) Petitions proposing the formation of a planning commission shall be signed by the number of registered voters in the county equal to at least five percent of the total votes cast in the county for governor at the last gubernatorial election.**

**(2) Petitions proposing the formation of a planning commission shall be filed with the election authority of the county not later than 5:00 p.m. on the thirteenth Tuesday preceding a general election.**

**(3) The petition shall consist of sheets of uniform size. The space for signatures on either side of a petition page shall be no larger than eight and one-half by fourteen inches, and each page shall contain signatures**



of registered voters from only one county. Each page of each petition for the formation of a planning commission shall be in substantially the following form:

To the Honorable ..... County Clerk of ..... County:

We, the undersigned, citizens and registered voters of ..... County, respectfully order that the following question be placed on the official ballot, for acceptance or rejection, at the next general election to be held on the ..... day of .....: "Should a planning commission be established in ..... County to assume responsibility for preparation of a county comprehensive plan?"; and each for himself or herself says: I have personally signed this petition; I am a registered voter of the state of Missouri and ..... County; my registered voting address and the name of the city, town or village in which I live are correctly written after my name.

**CIRCULATOR'S AFFIDAVIT**

STATE OF MISSOURI )

)

COUNTY OF ..... )

I, ..... a resident of the state of Missouri, being first duly sworn, say (print or type names of signers)

REGISTERED VOTING NAME, DATE, ADDRESS, ZIP, CONGRESSIONAL DISTRICT NAME,  
(Signature) SIGNED (Street)(City, Town or Village) (Printed or Typed)

(Here follow numbered lines for signers) signed this page of the foregoing petition, and each of them signed his or her name thereto in my presence; I believe that each has stated his or her name, registered voting address and city, town or village correctly, and that each signer is a registered voter of the state of Missouri and ..... County.

.....

Signature of Affiant (Person obtaining signatures)

Address of Affiant

Subscribed and sworn to before me this ..... day of .....

.....

Signature of Notary Public (Seal)

My commission expires .....

If this form is followed substantially, it shall be sufficient, disregarding clerical and merely technical errors.

(4) The validity of each petition filed under provisions of this section shall be determined in the manner provided for new party and independent candidate petitions in sections 115.333, 115.335 and 115.337, RSMo.

(5) Upon the filing of a valid petition for the formation of a planning commission, it shall be the duty of the election authority to have the following question placed on the official ballot, in the same manner other questions are placed, at the next general election:

"Should a planning commission be established in ..... County to assume responsibility for the creation of a county comprehensive plan?"

(6) The votes for and against the question shall be counted and certified in the same manner as votes on other questions.

(7) If the question is approved by a majority of the voters at the election, a planning commission shall be appointed as provided in this chapter and shall have the same rights and responsibilities provided by law for all planning commissions. If a majority of the votes cast on the question are in opposition to the question, a planning commission shall not be appointed under this subsection unless and until the question is resubmitted to the qualified voters and such question is approved by a majority of the qualified voters voting on the question.

(8) Any person who is a registered voter of a county not having a planning commission may sign a petition for the formation of a commission in the county. Any person who signs a name other than the person's own to any petition or knowingly signs the person's name more than once to the same petition or who knows the person is not a registered voter at the time of signing such petition, or any officer or person willfully violating any provision of this section shall be guilty of a class two election offense.

4. The county commission shall appoint the members of the planning commission, and shall, by resolution, ordinance, or order, establish the procedures for membership, compensation, terms, vacancies, and removal of the planning commissioners. The planning commission shall elect its own chair and shall adopt rules of procedure consistent with sections 64.1000 to 64.1042 and any local regulations delegating authority to the planning commission. The planning commission shall appoint a secretary to keep a public record of its

resolutions, transactions, findings, and recommendations; schedule and provide notice of all public meetings; and keep records of all public hearings.

5. The planning commission of any county shall have the following powers under sections 64.1000 to 64.1042:

- (1) To cause to be prepared a comprehensive plan and other associated plans;
- (2) To review and adopt a comprehensive plan and other associated plans, and to review and adopt any updates, amendments, and revisions to such plans;
- (3) To recommend regulations and amendments to such regulations for unincorporated areas of the county for adoption by the county commission;
- (4) To review plat applications in accordance with adopted subdivision regulations;
- (5) To review all public improvements in the county planning jurisdiction in accordance with the comprehensive plan;
- (6) To review and make recommendations to the county commission regarding zoning regulations, amendments to zoning regulations, and zoning maps;
- (7) To appoint employees and contract with consultants, as authorized by the county commission;
- (8) Other powers delegated to it by the county commission.

64.1009. 1. The purpose of a comprehensive plan is to guide and accomplish the coordinated, efficient, and orderly physical development of the county and its environs that will, based on a careful and comprehensive analysis and after sufficient public input and review, best promote the public health, safety, and welfare. Each element of the plan, as described in subsection 2 of this section, accomplishes this purpose through analysis of existing conditions and trends, identification of issues, opportunities, goals, and policies, development of reasonable projections, forecasts, and assumptions about anticipated future conditions or impacts, consideration of interrelationships between plan elements, prioritization of issues and actions, and preparation of implementation strategies which identify how goals may be achieved.

2. The planning commission may determine the applicability to the county of the elements described in this subsection. A comprehensive plan for a county may contain any of the following elements addressing all unincorporated areas of the county and any infrastructure or services the county provides to incorporated jurisdictions in the county:

- (1) Policies and maps or other description of land classifications to guide current and future development and redevelopment in areas to which the county plan is made applicable, including general locations of future land uses, goals, and characteristics of future development. The land use element may consider the suitability of land for development or redevelopment, including topography, geology, hydrology, natural resources, and any existing site or building conditions;
- (2) Policies for transportation systems, including their relationship to land use. The transportation element may include a map or maps generally identifying existing, programmed, planned, or potential transportation facilities, and a description of the design, extent, and qualities of these facilities;
- (3) Policies to provide adequate housing quality and supply to meet forecasted population needs. The housing element may include needed support in achieving a range of housing choices for various discrete or special needs populations;
- (4) Policies for community facilities to serve the population, including, but not limited to, solid waste management and disposal, water supply, waste water treatment and disposal, electric supply, communication facilities, public safety, schools, libraries, parks and recreation, and other government or quasi-government services. The community facilities element may include an analysis of desired levels of service, and recommended levels of service need not be uniform throughout the county, but may vary based on population characteristics, recommended land uses, or development characteristics;
- (5) Policies to promote the stabilization, retention, or expansion of the economy and employment opportunities. The economic development element may include analysis, forecasts, and policies related to labor forces, land markets, consumer markets, business sectors, or other applicable economic characteristics;
- (6) Policies for the identification, utilization, and management of scarce, threatened, or nonrenewable natural and manmade resources in the county, including the risk and impact of natural hazards. The preservation element may identify valued resources, assess the relative importance of those resources, and provide an analysis of actions or strategies that can strengthen the viability of those resources;
- (7) Policies to ensure the social and physical welfare of the citizens of the county. The human services element may identify sectors of the population that have special needs and may require special services, training,

assistance, or facilities to attain an acceptable quality of life, and may identify the role of county government in facilitating or providing such specialized services;

(8) Policies regarding the design of public and private development, considering the character, function, impacts, and interrelationship of public and private spaces and buildings, public or common open space, and desired building qualities including scale, mass, architectural features, or other design or aesthetic elements. The community design or urban design element may include general countywide recommendations or recommendations for specific land areas or for specific land use categories or development patterns;

(9) Policies regarding the cumulative environmental, economic, fiscal, and social impacts of decisions and actions over the life of the plan. The sustainability element may include, but is not limited to, analysis of development, transportation, and building practices on ecosystems or critical or sensitive resources, and may be conducted on a countywide, ecosystem, watershed, or other similarly comprehensive basis;

(10) Any county that prepares a comprehensive plan may add area plans which contain more detailed policies relating to specific land areas, but which shall not conflict with other portions of the comprehensive plan, and may add any other elements, studies, information, or data that the planning commission determines are not in conflict with the purposes of sections 64.1000 to 64.1042.

3. (1) After careful study and consideration of the conditions, issues, goals, public input, anticipated future events or conditions, and comprehensive countywide impacts of plans and policies, the planning commission may adopt the comprehensive plan as a whole by a single resolution. Studies and plans for incorporated jurisdictions in the county or any adjoining county may be considered in the findings and analysis, and may be factored into the recommendations of the comprehensive plan for unincorporated areas of the county.

(2) The planning commission shall accept and consider oral and written public comments throughout the process of developing the plan. Before the adoption, amendment, or extension of the plan, the planning commission shall hold at least one public hearing in order to encourage public participation in and awareness of the development of the plan. The hearing may be adjourned from time to time.

(3) At least fifteen days prior to the date of the hearing, notice of the public hearing shall be published at least once in a newspaper having general circulation within the county. The notice shall also be posted continuously for fifteen days prior to the hearing on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the county and also at the location where the meeting is to be held. The notice shall fix the time and place for the hearing and shall describe the topic in general terms. At least fifteen days before the date of the hearing, the plan to be considered at the hearing shall be on file in the office of the planning commission during normal office hours.

(4) The adoption of the plan requires a majority vote of the full membership of the planning commission. The adopting resolution shall refer expressly to the maps, descriptive matter, and other materials intended by the planning commission to form the whole or part of the plan. As the making of the whole county plan progresses, the planning commission may from time to time adopt a part or parts of the plan, any part to correspond generally with one or more of the elements of the plan. The action taken shall be recorded as the adopted plan or part of the plan by the identifying signature of the secretary of the planning commission.

(5) The adopted plan shall be filed in the office of the planning commission, identified properly by file number. A notice of the plan adoption shall be provided to other agencies and departments as determined by the county commission, and the adopted plan or portion thereof shall be available at the offices of the planning commission and the county clerk for public inspection during normal office hours.

(6) A public involvement record shall be attached to and incorporated in the resolution adopting the plan, and shall describe all public participation, notice, and outreach efforts undertaken by the county related to the preparation, consideration, and adoption of the plan.

(7) The county commission may review and accept the comprehensive plan by resolution.

4. (1) The planning commission may periodically review and amend the comprehensive plan of the county or any part thereof. The review may include discussion of the comprehensive plan during at least one regularly scheduled planning commission meeting. Notice of all review meetings shall be given in the same manner provided in sections 64.1000 to 64.1042 for adoption of the plan. Any interested party shall have the opportunity to comment on the plan during the review.

(2) Amendments of an adopted comprehensive plan may be prepared at any time upon the planning commission's initiative, or upon suggestion by the county commission, to revise, update, replace, add, or supplement elements of the plan. Amendments may be prepared for the plan in its entirety or for segments addressing a specific element or elements, or for a specific area of the county.

(3) When a comprehensive plan is amended in segments, it shall include a statement indicating specifically what portions of the existing comprehensive plan are being amended and what portions of the existing comprehensive plan are to remain as part of the adopted comprehensive plan.

(4) A comprehensive plan amendment is subject to the same procedures provided in sections 64.1000 to 64.1042 for preparation and adoption of the initial comprehensive plan.

**64.1012.** 1. The planning commission may recommend and the county commission may adopt and amend regulations governing subdivisions of land in unincorporated areas to protect the public health, safety, and welfare in accordance with the comprehensive plan. The regulations may provide standards for:

- (1) The location, width, design, and layout of streets, rights-of-way, and blocks;
- (2) The width, area, and arrangement of lots, access, easements, and building lines; and
- (3) The manner in which streets, water, sewer, drainage, and other utility services shall be improved and provided.

2. The regulations may provide that in lieu of the immediate completion or installation of such work, the planning commission may accept, at the option of the developer, an escrow secured with cash or an irrevocable letter of credit or a surety bond, all in the amount and with surety and conditions satisfactory to the county commission. Such escrow or bond shall secure the county commission for the actual construction of such improvements and utilities within a period specified by the county planning commission, and the county commission shall have power to enforce such escrow or bond by all proper remedies.

3. In the event a developer who has posted an escrow or bond with a county in accordance with subsection 2 of this section transfers title of the subdivision property before full release of the escrow or bond, the county shall accept a replacement escrow or letter of credit from the successor developer in the form allowed in subsection 2 of this section and in the amount of the letter of credit or bond held by the county at the time of the transfer, and the county shall release the original escrow or bond in full and release the prior developer from all further obligations.

4. The county commission shall release any escrow or bond held by the county to secure actual construction on a category of improvements or utilities, such as streets, sewer, sidewalks, within thirty days of completion of that category of improvement or utilities. The county shall inspect each category of improvement or utility work for completion within twenty business days after a request for such inspection.

5. If the county has not released the escrow or bond amount as set forth in subsection 4 of this section, the county shall pay the owner or developer, in addition to the escrow or bond funds due, interest at the rate of one and one-half percent per month calculated from the expiration of the thirty-day period until full release of the escrow or bond funds. Any owner or developer aggrieved by the county's failure to observe the requirements of this section may bring a civil action to enforce the provisions of this section, and in such action, the court may award the prevailing party the amount of all costs attributable to the action, including reasonable attorneys' fees.

6. Prior to adoption or amendment of the subdivision regulations, the planning commission shall hold a public hearing on the proposed subdivision regulations or amendment. At least fifteen days prior to the date of the hearing, notice of the public hearing shall be published at least once in a newspaper having general circulation within the county. The notice shall also be posted continuously for fifteen days prior to the hearing on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the county and at the location where the hearing is to be held. The notice shall fix the time and place for the hearing and shall describe such proposal in general terms. A county commission may hold a public hearing, but no separate hearing is required for the adoption or amendment of subdivision regulations by the county commission after receiving the planning commission's recommendation.

7. Subdivision regulations shall establish standards for the development of a complete subdivision plat application, and shall designate a person authorized to determine completeness of applications and official acceptance of a plat submitted to the county.

**64.1015.** 1. After the county commission has adopted and filed certified copies of subdivision regulations, no plat of a subdivision of land within the unincorporated area of the county shall be recorded until the plat is approved by the planning commission or as otherwise provided by the adopted subdivision regulations. If the planning commission does not act upon the plat at an official meeting within thirty days from the date of official acceptance, the plat may then be deemed approved. If the plat is amended or rejected by the planning commission, the action may be overruled and the plat approved only by the county commission after a public hearing, provided the reasons for such overruling shall be specifically stated in the action by the county commission.

2. Any approved plat with dedication of public lands to the county or any other public body shall be submitted to the county commission, or other jurisdiction receiving dedicated lands, for acceptance of the dedication prior to recording. The acceptance shall be noted on the plat.

3. The recorder of deeds shall record a plat of a subdivision of land in the unincorporated area of the county only after having received a certificate of authority from the planning commission secretary, who shall issue such certificate if such plat has been approved under the provisions of sections 64.1000 to 64.1042 and the subdivision regulations.

4. A county planning commission may, upon the written request of the legislative body of an incorporated area in which there is no municipal planning commission, pass upon subdivision plats within said incorporated areas, and said plats shall be subject to all rules and regulations of the county planning commission and shall not be recorded until they have been approved in the same manner as a subdivision plat in an unincorporated area. If, however, the county planning commission does not agree to pass upon plats in an incorporated area, the county recorder shall be advised of the fact by registered letter.

5. The planning commission, after a public hearing, may vacate any plat of a subdivision of land including roads, streets, highways, and alleys located in the unincorporated areas of the county. At such hearing, the commission may require that expert witnesses providing evidence be sworn in so that their statements are statements made under oath. Upon the vacation of the plat, the recorder of deeds shall be notified in writing of the vacation. Any vacation of public lands, rights-of-ways, or easements shall be submitted to the county commission, or other jurisdiction in control of such lands, for approval of the vacation.

64.1018. After a planning commission adopts a comprehensive plan of the county or any part thereof, no street, public improvement, or other public facilities, or no public utility, whether publicly or privately owned, where the location, extent and character thereof having been included in the recommendations and proposals of the plan, shall be constructed or authorized in the county until the location, extent, and character thereof has been submitted to and, after review and consideration of the comprehensive plan, approved by the planning commission. In the case of disapproval of the planning commission, the planning commission shall communicate its reasons to the county commission, or if the street, public improvement, public facility, or utility is one which the authorization or financing does not fall under the authority of the county commission, then the reasons shall be communicated to the board having authority over the public facility or utility. The county commission or other agency having jurisdiction, by vote of not less than two-thirds of the entire membership of its governing body, may overrule the disapproval stating the reasons for the overruling. Upon the overruling, the county commission or the appropriate agency or officer may proceed. The failure of the planning commission to act within sixty days after the date of official submission to it shall be deemed approval.

64.1021. The planning commission may adopt a major street plan for all unincorporated areas of the county in accordance with a transportation element of a comprehensive plan. The plan may include standards and recommendations for the location, extent, and design of streets, and for building setback lines of streets. The county may, by ordinance, establish building lines on any public street identified in the major street plan. Such building lines shall be established by the same procedure established in sections 64.1000 to 64.1042 for the adoption and amendment of subdivision regulations. After the establishment of any such line, all buildings or other structures shall be erected, reconstructed or substantially repaired as specified by the building lines. The county commission shall appoint an appeals board with the same powers to vary the building lines in specific cases as provided and in the manner specified in sections 64.1000 to 64.1042 for a board of zoning adjustment. If a board of zoning adjustment exists, it shall serve as the appeals board with respect to application of the building lines to specific property.

64.1024. 1. Upon the request of the county commission and after a vote of the people as provided in this section, the planning commission may recommend and the county commission may adopt zoning regulations for all unincorporated areas of the county in accordance with the comprehensive plan or any specific area plan created under the comprehensive plan.

(1) Prior to adopting zoning regulations as provided for in sections 64.1024 to 64.1042, the county commission shall submit the question of whether or not it shall adopt zoning regulations to the voters residing within the county at a state general, primary, or special election;

(2) The ballot of submission for the zoning regulations authorized under sections 64.1024 to 64.1042 shall be in substantially the following form:

"Shall...(insert name of county) adopt zoning regulations authorized under the "Missouri County Planning Act"?";

(3) If a majority of the votes cast on the question are in favor of the adoption of county zoning regulations, the county commission may then proceed to adopt zoning regulations authorized under sections 64.1024 to 64.1042. If a majority of the votes cast on the question are in opposition to the question, the county commission shall not adopt zoning regulations authorized under sections 64.1024 to 64.1042 unless and until the question is resubmitted under this section to the qualified voters and such question is approved by a majority of the qualified voters voting on this question.

2. Zoning regulations may divide the jurisdiction into districts for different types of buildings, uses of land, character of design, or intensity of development, as may be deemed suited to carry out the purposes of sections 64.1000 to 64.1042. All such regulations shall be uniform for each type of building or land uses throughout each district, but the regulations in one district may differ from those in other districts, and may differ for different building types or use types or mixture of use types in a single district. They may also designate special uses within districts with specific conditions or review processes. The regulations shall give reasonable consideration, among other things, to the existing character of the districts, their suitability for particular uses, conservation of the value of buildings and of existing development, and encouragement of the most appropriate use of land throughout the county.

3. The regulations may include, but not be limited to, provisions regulating:

- (1) The kind, class, or form of buildings, including height, bulk, use, location, and design;
- (2) The use of land and buildings for particular purposes, or classes or categories or mixtures of uses;
- (3) The density of population or intensity of nonresidential structures;
- (4) The extent and design of site elements such as parking, landscape, or signs subject to the provisions of sections 226.500 to 226.600, RSMo;

(5) The design, size, location, and relationship of courts, yards, plazas, natural areas, or other open spaces;

(6) The preservation of resources including water or other natural resources, agriculture land, flood plains, or historical structures; and

(7) Sexually oriented businesses.

4. The regulations shall define the boundaries of zoning districts or any other special area under which the regulations differ from one area to another by incorporating a map or maps as part of the regulations, or by defining the boundaries in any other manner that clearly establishes the boundaries of the district or districts. The county shall designate one map as the official zoning map for the county, which shall indicate all zoning districts, or which may incorporate by reference any specific zoning map or materials which establish regulations for the property. The official zoning map shall be filed in the office of the county clerk or other such public office designated by the county commission.

5. The regulations shall designate an individual as the administrative official responsible for interpretation and administration of the zoning regulations.

6. Farm buildings and farm structures used for such purposes that are not in a designated flood plain shall be exempt from zoning regulations.

64.1027. 1. After zoning regulations and districts are adopted by a county commission, the county commission may amend the regulations, map, or districts as provided in this section. Amendments may be initiated by the planning commission, county commission, or a property owner as provided in this section.

2. The planning commission shall hold a public hearing on the proposed amendment. At least fifteen days prior to the date of the hearing, notice of the public hearing shall be published at least once in a newspaper having general circulation within the county. The notice shall also be posted continuously for fifteen days prior to the hearing on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for that purpose at the principal office of the county and also at the location where the hearing is to be held. The notice shall fix the time and place for the hearing and shall describe such proposal in general terms. The hearing may be adjourned from time to time, but in the event there are amendments to the zoning map that affect regulations of a specific property, the hearing shall be concluded within sixty days of the commencement of the hearing, unless the county and the property owner agree to extend such deadline. Within thirty days from the conclusion of the hearing, the planning commission shall submit its recommendations to the county commission, together with a written summary of the hearing and how the amendment is in accordance with the comprehensive plan, or if not, justification for the recommendations. Any recommendation shall be by the affirmative vote of a majority of the entire membership of the planning commission.

**3. The county commission may:**

(1) Approve the planning commission's recommendations by the adoption of the amendment;

(2) Override the planning commission's recommendations or otherwise revise the recommendations by a two-thirds vote of all of the members of the county commission, provided that the reasons for such overruling or revision shall be stated in the action by the county commission; or

(3) Return the recommendation to the planning commission for further consideration, together with a statement specifying the basis for the needed further consideration. If the county commission returns the planning commission's recommendations, the planning commission, after considering the same, may resubmit its original recommendations giving the reasons therefore or submit new and amended recommendations. Upon the receipt of any new recommendations, the county commission, by a simple majority of all of the members, may adopt, revise, or override such recommendations. If the planning commission fails to deliver its recommendations to the county commission following the planning commission's next regular meeting after receipt of the county commission's report, the county commission shall consider such course of inaction on the part of the planning commission as a resubmission of the original recommendations and may proceed accordingly.

**4. After review and consideration of the comprehensive plan, the county commission may from time to time change, supplement, or revise the regulations or boundaries of districts according to the procedures in this section. The county commission shall establish in its zoning regulations the matters to be considered when approving or disapproving a request to amend the zoning map.**

(1) Amendments to the text of the generally applicable zoning regulations may be initiated by the planning commission or county commission. Amendments to generally applicable zoning regulations shall follow the procedures established in this section and any other additional procedures in the approved county zoning regulations.

(2) Amendments to the zoning map that affect regulations to a specific property may be initiated by the planning commission, the county commission, or a property owner or property owner's authorized agent. Amendments to the zoning map shall follow the procedures established in this section, any other additional procedures in the approved county zoning regulations, and the following specific procedures:

(a) Published notice for any required public hearing shall include a legal description or a general description sufficient to identify the property under consideration. In addition to published notice, written notice of the proposed amendment shall be mailed at least fifteen days before the hearing to all owners of record of real property within the area to be altered and to all owners of record of real property located within at least six hundred feet of the area proposed to be altered, or greater distance specified in the county zoning ordinance;

(b) All notices shall include a statement that a complete legal description and application file is available for public inspection and shall indicate where such information is available;

(c) Regardless of the recommendation of the planning commission, if a valid protest petition against the amendment is filed in the office of the county clerk within fifteen days after the date of the conclusion of the planning commission public hearing or any additional public hearings required by the county zoning regulations, the amendment shall not be passed except by at least a two-thirds vote of all of the members of the county commission. A valid protest petition requires the signatures of the owners of record of thirty percent or more of the land area of any real property proposed to be rezoned, excluding streets and public ways, or signatures of the owners of record of thirty percent or more of the land area of real property, excluding streets and public ways, within the area required to be notified by this section of the proposed rezoning of a specific property.

**64.1030. 1. Any county commission which has adopted a zoning map and regulations as provided in sections 64.1000 to 64.1042 shall appoint a county board of zoning adjustment. The board shall consist of five residents of the county, but not more than two shall be residents of the incorporated area of the county. The membership of the first board appointed shall serve respectively: one for one year, one for two years, one for three years, two for four years. Thereafter members shall be appointed for terms of four years each. Members shall be removable for cause by the county commission upon written charges and after a public hearing. Vacancies shall be filled by the county commission for the unexpired term of any member whose term becomes vacant.**

**2. The board of zoning adjustment shall have the following powers and it shall be its duty:**

(1) To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision, or determination made by an administrative official or body in the enforcement or administration of the county zoning regulations;

(2) To hear and decide all matters referred to it or which it is required to determine under the zoning ordinance adopted by the county commission as herein provided;

(3) To authorize variances where, by reason of exceptional narrowness, shallowness, shape, or topography, or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under sections 64.1000 to 64.1042 would result in peculiar and exceptional difficulties to, or exceptional and demonstrable undue hardship upon, the owner of the property as an unreasonable deprivation of use as distinguished from the mere grant of a privilege. Upon an appeal relating to the property by the owner or person with a real property interest in such property, the board may authorize a variance from the strict application so as to relieve the demonstrable difficulties or hardships, provided the relief can be granted without substantial detriment to the public safety and welfare and without substantially impairing the intent, purpose, and integrity of the zoning map and regulations.

3. The board of zoning adjustment shall elect its own chair and shall adopt rules of procedure consistent with the provisions of the zoning regulations and the provisions of sections 64.1000 to 64.1042. The chair or the acting chair may administer oaths and compel the attendance of witnesses. All meetings of the board of zoning adjustment shall be open to the public, and minutes shall be kept of all proceedings and official actions, which minutes shall be filed in the office of the board and shall be a public record.

4. Appeals to the board of zoning adjustment may be taken by any owner, lessee or tenant of land, or by a public officer, department, board or bureau, affected by any decision of a body or official acting to administer county zoning regulations. The appeals shall be taken within a period of not more than three months of such decision, and in the manner provided by the rules of the board. An appeal shall stay all proceedings in furtherance of the action appealed, unless the officer from whom the appeal is taken shall certify to the board that by reason of facts stated in the certificate a stay would, in the officer's opinion, cause imminent peril to life or property. In exercising the above powers, the board may reverse or affirm wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may take such order, requirement, decision, or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

5. Any owners, lessees, or tenants of buildings, structures, or land jointly or severally aggrieved by any decision of the board of zoning adjustment under the provisions of sections 64.1000 to 64.1042, may present to the circuit court of the county in which the property affected is located, a petition, duly verified, stating that the decision is illegal in whole or in part, specifying the grounds of the illegality, and asking for relief. Upon the presentation of the petition, the court shall allow a writ of certiorari directed to the board of adjustment or the county commission, respectively, of the action taken and data and records acted upon, and may appoint a referee to take additional evidence in the case. The court may reverse or affirm or may modify the decision brought up for review. After entry of judgment in the circuit court in the action in review, any party to the cause may bring an appeal to the appropriate appellate court.

64.1033. 1. Any violation of any regulation adopted under the authority of sections 64.1000 to 64.1042 shall be a misdemeanor. Any person with an interest in the property where a violation exists, or any person who knowingly commits, takes part or assists in the violation, may be subject to fines and penalties for other misdemeanors resulting from the same action. Each day of the offense may be considered a separate offense.

2. The county commission of any county that has appointed a county counselor and adopts or has adopted rules, regulations, or ordinances under the authority of sections 64.1000 to 64.1042 may by rule, regulation, or ordinance impose a civil fine for each violation. Any fines imposed and collected under such rules, regulations, or ordinances shall be payable to the county general fund to be used to pay for the cost of enforcement of such rules, regulations, or ordinances.

3. The county may institute any appropriate action or proceedings to enforce the adopted regulations and to remove violations.

4. No owner, or agent of the owner, of any land located within the platting jurisdiction of any county that has adopted subdivision regulations may transfer, sell, agree to sell, or negotiate to sell that land by reference to or by other use of a plat of any purported subdivision of the land before the plat has been approved by the county commission or planning commission and recorded in the office of the appropriate county recorder, unless the owner or agent shall disclose in writing that such plat has not been approved and the sale is contingent upon the approval of such plat by the planning commission or county commission. Each such transfer, sale, or agreement shall be a separate violation, and in addition to all other remedies, a county may enjoin or vacate the transfer or sale or agreement by legal action, and may recover the penalty in such action.

5. The county may designate an administrative officer or official with power to cause any land, building, structure, place or premises to be inspected and examined and to order in writing the remedying of any condition



found to exist therein or thereat in violation of any of the regulations or orders adopted or made under the authority of sections 64.1000 to 64.1042.

6. Any owner, lessee, or tenant who, having been served with an order in writing signed by the zoning administrative official to correct or remove any such violations, shall fail to comply with the order within ten days after service, or who shall continue to violate any of the regulations or orders made under the authority of sections 64.1000 to 64.1042 in the respect named in the order, shall be guilty of a misdemeanor.

64.1036. 1. The authority granted by sections 64.1000 to 64.1042 shall not be exercised so as to deprive the owner, lessee, or tenant of any existing property of its use or maintenance for the purpose to which it is then lawfully devoted.

2. The authority granted by sections 64.1000 to 64.1042 shall not interfere with such public utility services as may have been or may hereafter be specifically authorized or permitted by a certificate of public convenience and necessity, or order issued by the public service commission, or by permit of the county commission.

64.1039. Counties are hereby authorized to enter into agreements to cooperate with any public or private organization, agency, or public body in the exercise and performance of any planning powers, duties, and functions; provided that the subject and purposes of any such agreement shall be within the scope of the powers of such organization, agency, or body.

(1) A county may by legislative action or order enter into an agreement with one or more municipalities, counties, agencies, public bodies, or other organizations for joint planning cooperation, and may establish a joint planning committee for the designated joint planning area. The agreement shall specify the extent of authority for the joint planning committee.

(2) The county planning commission may adopt plans prepared under cooperative agreements in the same manner as other plans enabled in sections 64.1000 to 64.1042.

(3) The county commission may adopt regulations under cooperative agreements in the same manner as subdivision regulations as enabled in sections 64.1000 to 64.1042.

64.1042. 1. After August 28, 2008, any county commission may by resolution elect to utilize the authority and procedures in sections 64.1000 to 64.1042 for county planning and implementation.

2. Nothing contained in sections 64.1000 to 64.1042 shall affect the existence or validity of a county ordinance or order adopted prior to August 28, 2008."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cooper (120) offered **House Amendment No. 1 to House Amendment No. 14.**

**House Amendment No. 1 to House Amendment No. 14** was withdrawn.

Representative Deeken offered **House Amendment No. 2 to House Amendment No. 14.**

*House Amendment No. 2  
to  
House Amendment No. 14*

AMEND House Amendment No. 14 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 64.1015.3, Page 12, by deleting all of said section and inserting in lieu therein:

"No plat of a subdivision of land in the unincorporated area of the county shall be presented for recording to the Recorder of Deeds without having first received a certificate of authority from the planning commission secretary, who shall issue such certificate if such plat has been approved under the provisions of section 64.100 to 64.102 and the subdivision regulations. Any plat presented for recording without meeting the requirements of this section shall be void."; and

Further amend said amendment, Section 64.1015.4, Page 12, Line 12, by deleting the word: “recorded” and insert in lieu therein: **“presented for recording”**; and

Further amend said section, Lines 13-15, by deleting all of said lines beginning with the words: “If, however, the county...”; and

Further amend said amendment, Section 64.1015.5, Line 20, by deleting the following words “the recorder of deeds shall be notified in writing of the vacation” and inserting in lieu therein: **“the planning commission shall submit for recording an affidavit detailing the vacation of the plat.”**.

On motion of Representative Deeken, **House Amendment No. 2 to House Amendment No. 14** was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 010

Davis	Ervin	Franz	Hughes	Sander
Schoeller	Skaggs	Talboy	Viebrock	Wood

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	Darrough	Johnson	Kelly	Low 39
Marsh	Moore	Nasheed	Robinson	Sater
Spreng	Walton	Wasson	Wright-Jones	

VACANCIES: 002

Representative Cooper (120) moved that **House Amendment No. 14, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 039

Bivins	Brandom	Bruns	Cooper 120	Cox
Cunningham 86	Day	Deeken	Faith	Fares
Fisher	Flook	Frame	Guest	Hobbs
Kingery	Lembke	May	Muschany	Nolte
Oxford	Parkinson	Parson	Portwood	Richard
Schaaf	Scharnhorst	Schlottach	Schneider	Self
Stevenson	St. Onge	Stream	Sutherland	Talboy
Tilley	Wallace	Yaeger	Mr Speaker	

NOES: 103

Aull	Avery	Baker 25	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cunningham 145	Darrough	Daus	Davis	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Fallert	Franz
Funderburk	George	Grill	Grisamore	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Nance	Nieves	Norr	Onder	Page
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schad	Schieffer
Schoeller	Schoemehl	Shively	Silvey	Skaggs
Smith 14	Smith 150	Storch	Swinger	Thomson
Threlkeld	Todd	Viebrock	Villa	Vogt
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker 123	Bland	Corcoran	Curls	Hunter
Johnson	Kelly	Low 39	Lowe 44	Marsh
Moore	Nasheed	Robinson	Sater	Spreng
Walsh	Walton	Wright-Jones	Young	

VACANCIES: 002

Representative Franz offered **House Amendment No. 15**.

**House Amendment No. 15** was withdrawn.

Representative Schaaf offered **House Amendment No. 16**.

*House Amendment No. 16*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section A, Page 1, Line 3, by inserting after all of said section the following:

"67.402. 1. The governing body of **the following counties may enact nuisance abatement ordinances as provided in this section:**

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but [less] **fewer** than one hundred thirty-five thousand five hundred inhabitants[.];

(2) Any county of the first classification with more than seventy-one thousand three hundred but [less] **fewer** than seventy-one thousand four hundred inhabitants[, and];

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but [less] **fewer** than one hundred ninety-nine thousand two hundred inhabitants;

(4) **Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;**

(5) **Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants.**

2. **The governing body of any county described in subsection 1 of this section** may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

[2.] 3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue

an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

[3.] **4.** Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 16** was adopted.

Representative Meiners offered **House Amendment No. 17.**

*House Amendment No. 17*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 311.060, Page 5, Line 28, by inserting "**manufacture or**" immediately before "**sale**"; and

Further amend said substitute, Section 311.489, Page 6, Line 6, by inserting after the words "**common area**" the following:

**"where pedestrian access is controlled and";** and

Further amend said section, Page 7, Line 21, by inserting after "**3.**" the following:

**"Prior to submitting a plan to the governing body of the city, the promotional association shall provide notice of its intent to apply for a festival district permit and conduct a public hearing on the plan. If any business owner, property owner, or resident within the boundaries of the common area of the event do not approve in the public hearing of any proposed event, or the proposed plan of events, the promotional association shall obtain written approval of such event or plan from seventy-five percent of the property owners, business owners, and residents within the district.";** and

Further amend said substitute, Section 573.525, Page 9, Line 25, by deleting "**and/or**" and inserting in lieu thereof "**or**"; and

Further amend said substitute, Section 573.528, Page 10, Line 16, by deleting the comma "," after the word "**rental**"; and

Further amend said section, Page 12, Line 73, by deleting "**and/or**" and inserting in lieu thereof "**or**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Meiners, **House Amendment No. 17** was adopted.

Representative Daus offered **House Amendment No. 18.**

*House Amendment No. 18*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section A, Page 1, Line 3, by inserting the following after all of said line:

**"57.278. 1. There is hereby created in the state treasury the "Deputy Sheriff Salary Supplementation Fund", which shall consist of money collected from charges for service received by county or city sheriffs under subsection 4 of section 57.280. The money in the fund shall be used solely to supplement the salaries of county or city deputy sheriffs. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. The Missouri sheriff methamphetamine relief taskforce created under section 650.350, RSMo, shall administer the fund.**

**2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.**

57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to this section shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, going and returning from the courthouse of the county in which he resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

3. The sheriff upon the receipt of the charge herein provided for shall pay into the treasury of the county any and all charges received pursuant to the provisions of this section; however, in any county, any funds, not to exceed fifty thousand dollars in any calendar year, **except as otherwise provided in subsection 4 of this section** and other than as a result of regular budget allocations or land sale proceeds, coming into the possession of the sheriff's office, such as from the sale of recovered evidence, shall be held in a fund established by the county treasurer, which may be expended at the discretion of the sheriff for the furtherance of the sheriff's set duties. Any such funds in excess of fifty thousand dollars, **except as otherwise provided in subsection 4 of this section** and other than regular budget allocations or land sale proceeds, shall be placed to the credit of the general revenue fund of the county. Moneys in the fund shall be used only for the procurement of services and equipment to support the operation of the sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the county general revenue fund at the end of any county budget or fiscal year.

**4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the sheriff shall receive fifteen dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this**

**section; provided, however, that in charter counties and any city not within a county, the sheriff shall receive five dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of this section, in addition to the charge for such service that each sheriff receives under subsection 1 of this section. The money received by the sheriff under this subsection shall be paid into the county or city treasury and the county or city treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278.**

488.435. 1. Sheriffs shall receive a charge, as provided in section 57.280, RSMo, for service of any summons, writ or other order of court, in connection with any civil case, and making on the same either a return indicating service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be served, as provided in section 57.280, RSMo, except that a sheriff shall receive a charge for service of any subpoena, and making a return on the same, the sum of ten dollars, as provided in section 57.280, RSMo; however, no such charge shall be collected in any proceeding when court costs are to be paid by the state, county or municipality. In addition to such charge, the sheriff shall be entitled, as provided in section 57.280, RSMo, to receive for each mile actually traveled in serving any summons, writ, subpoena or other order of court, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile, provided that such mileage shall not be charged for more than one subpoena or summons or other writ served in the same cause on the same trip. All of such charges shall be received by the sheriff who is requested to perform the service. Except as otherwise provided by law, all charges made pursuant to section 57.280, RSMo, shall be collected by the court clerk as court costs and are payable prior to the time the service is rendered; provided that if the amount of such charge cannot be readily determined, then the sheriff shall receive a deposit based upon the likely amount of such charge, and the balance of such charge shall be payable immediately upon ascertainment of the proper amount of such charge. A sheriff may refuse to perform any service in any action or proceeding, other than when court costs are waived as provided by law, until the charge provided by this section is paid. Failure to receive the charge shall not affect the validity of the service.

2. The sheriff shall, as provided in section 57.280, RSMo, receive for receiving and paying moneys on execution or other process, where lands or goods have been levied and advertised and sold, five percent on five hundred dollars and four percent on all sums above five hundred dollars, and half of these sums, when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall not be sold and the money is paid to the sheriff or person entitled thereto, his or her agent or attorney. The party at whose application any writ, execution, subpoena or other process has issued from the court shall pay the sheriff's costs, as provided in section 57.280, RSMo, for the removal, transportation, storage, safekeeping and support of any property to be seized pursuant to legal process before such seizure. The sheriff shall be allowed for each mile, as provided in section 57.280, RSMo, going and returning from the courthouse of the county in which he or she resides to the place where the court is held, the rate prescribed by the Internal Revenue Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The provisions of this subsection shall not apply to garnishment proceeds.

**3. As provided in subsection 4 of section 57.280, RSMo, in all counties except for charter counties and any city not within a county the sheriff shall receive fifteen dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of section 57.280, RSMo, in addition to the charge for such service that each sheriff receives under subsection 1 of section 57.280, RSMo, and in charter counties and any city not within a county the sheriff shall receive five dollars for service of any summons, writ, subpoena, or other order of the court included under subsection 1 of section 57.280, RSMo, in addition to the charge for such service that each sheriff receives under subsection 1 of section 57.280, RSMo. The money received by the sheriff under subsection 4 of section 57.280, RSMo, shall be paid into the county or city treasury and the county or city treasurer shall make such money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy sheriff salary supplementation fund created under section 57.278, RSMo.**

650.350. 1. There is hereby created within the department of public safety the "Missouri Sheriff Methamphetamine Relief Taskforce" (MoSMART). MoSMART shall be composed of five sitting sheriffs. Every two years, the Missouri Sheriffs' Association board of directors will submit twenty names of sitting sheriffs to the governor. The governor shall appoint five members from the list of twenty names, having no more than three from any one political party, to serve a term of two years on MoSMART. The members shall elect a chair from among their membership. Members shall receive no compensation for the performance of their duties pursuant to this section, but each member shall be reimbursed from the MoSMART fund for actual and necessary expenses incurred in carrying out duties pursuant to this section.

2. MoSMART shall meet no less than twice each calendar year with additional meetings called by the chair upon the request of at least two members. A majority of the appointed members shall constitute a quorum.

3. A special fund is hereby created in the state treasury to be known as the "MoSMART Fund". The state treasurer shall invest the moneys in such fund in the manner authorized by law. All moneys received for MoSMART from interest, state, and federal moneys shall be deposited to the credit of the fund. The director of the department of public safety shall distribute at least fifty percent but not more than one hundred percent of the fund annually in the form of grants approved by MoSMART.

4. **Except for money deposited into the deputy sheriff salary supplemental fund created under section 57.278, RSMo**, all moneys appropriated to or received by MoSMART shall be deposited and credited to the MoSMART fund. The department of public safety shall only be reimbursed for actual and necessary expenses for the administration of MoSMART, which shall be no less than one percent and which shall not exceed two percent of all moneys appropriated to the fund, **except that the department shall not receive any amount of the money deposited into the deputy sheriff salary supplemental fund for administrative purposes**. The provisions of section 33.080, RSMo, to the contrary notwithstanding, moneys in the MoSMART fund shall not lapse to general revenue at the end of the biennium.

5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

6. Any county law enforcement entity or established task force with a memorandum of understanding and protocol may apply for grants from the MoSMART fund on an application to be developed by the department of public safety with the approval of MoSMART. All applications shall be evaluated by MoSMART and approved or denied based upon the level of funding designated for methamphetamine enforcement before 1997 and upon current need and circumstances. No applicant shall receive a MoSMART grant in excess of one hundred thousand dollars per year. The department of public safety shall monitor all MoSMART grants.

7. MoSMART's anti-methamphetamine funding priorities are as follows:

(1) Sheriffs who are participating in coordinated multijurisdictional task forces and have their task forces apply for funding;

(2) Sheriffs whose county has been designated HIDTA counties, yet have received no HIDTA or narcotics assistance program funding; and

(3) Sheriffs without HIDTA designations or task forces, whose application justifies the need for MoSMART funds to eliminate methamphetamine labs.

8. **MoSMART shall administer the deputy sheriff salary supplemental fund as provided under section 57.278, RSMo.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Daus moved that **House Amendment No. 18** be adopted.

Which motion was defeated by the following vote:

AYES: 054

Avery	Bivins	Bringer	Brown 50	Burnett
Cunningham 86	Curls	Darrough	Daus	Davis
Dusenberg	Faith	Fares	Flook	Franz
Funderburk	George	Grisamore	Haywood	Holsman
Hughes	Hunter	Icet	Johnson	Kratky
Kraus	Lembke	LeVota	Meiners	Nolte
Onder	Oxford	Parkinson	Portwood	Pratt
Scavuzzo	Schneider	Schoemehl	Silvey	Skaggs
Smith 14	Stevenson	St. Onge	Talboy	Villa
Walsh	Wells	Whorton	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Mr Speaker	



NOES: 095

Aull	Baker 25	Bland	Brandom	Brown 30
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Emery
Ervin	Fallert	Fisher	Frame	Grill
Guest	Harris 23	Harris 110	Hodges	Hoskins
Hubbard	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kuessner	Lampe	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Page	Parson	Pearce
Pollock	Quinn 7	Quinn 9	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schoeller	Self	Shively	Smith 150
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Wallace	Wasson	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker 123	Donnelly	El-Amin	Hobbs	Low 39
Lowe 44	Marsh	Moore	Richard	Robinson
Spreng	Walton			

VACANCIES: 002

## Representative Wallace offered **House Amendment No. 19.**

### *House Amendment No. 19*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 407.311, Page 9, Line 40, by inserting after all of said line the following:

"407.1240. As used in sections 407.1240 to 407.1252, the following terms shall mean:

- (1) "Business day", every day except Sundays and holidays;
- (2) "Holiday", any day that the United States Post Office is closed;
- (3) "Membership fee", the initial or reoccurring fee that is unrelated to actual pass-through costs associated with the use and enjoyment of travel benefits;

(4) "Rescission statement", a statement that shall be printed on all contracts pertaining to the purchase of travel club memberships from a travel club that shall provide in at least fourteen-point bold type the following statement:

"Assuming you have [not accessed any travel benefits and have] returned to the travel club all materials delivered to the purchaser at closing, you have the right to rescind this transaction for a period of three business days after the date of this agreement. To exercise the right of rescission, you must deliver to the travel club, either in person or by first class mail postmarked within the three-business-day period, at the address referenced in this contract, a written statement of your desire to rescind this transaction, and all materials **of value** that were provided and given to you at the time of the purchase of your travel club membership.";

(5) "Surety bond", any surety bond, corporate guaranty, letter of credit, certificate of deposit, or other bond or financial assurance in the sum of fifty thousand dollars that is required to be delivered by travel clubs which have been adjudged to have violated subsection 4 or 5 of section 407.1252 and in the event that such surety bond is accessed

subsequent to posting as a result of the need to reimburse purchasers, the amount of the surety bond shall be increased by ten thousand dollars per reimbursement. All surety bonds shall:

- (a) Serve as a source of funds to reimburse purchasers of travel club memberships who validly exercise their rights under the rescission statement in their contract but who are not, after judgment, provided a refund equal to the purchase price of their unused travel club memberships or, after settlement, equal to the terms of the settlement;
- (b) Serve as a source of funds to reimburse purchasers of travel club memberships who have been proven to be the subject of fraud;
- (c) Remain in full force and effect during the period of time the travel club conducts its business activities; and
- (d) Be deemed acceptable to the attorney general if:
  - a. It is issued by an insurance company that possesses at least a "B+" rating, or its equivalent by A.M. Best or its successors or by any other nationally recognized entity that rates the creditworthiness of insurance companies;
  - b. It is in the form of a letter of credit that is issued by a banking institution with assets of at least seventy-five million dollars;
  - c. It is in the form of a certificate of deposit; or
  - d. It is in a form that otherwise is acceptable to the attorney general;
- (6) "Travel benefits", benefits that are offered to travel club purchasers and customers that include all forms of overnight resort, condominium, time-share, hotel, motel, and other rental housing of every nature; all forms of air travel and rental car access; all forms of cruise line access; and all other forms of discounted travel benefits of every nature;
- (7) "Travel club", any business enterprise that either directly, indirectly, or through the use of a fulfillment company or other third party offers to sell to the public the reoccurring right to purchase travel benefits at prices that are represented as being discounted from prices otherwise not generally available to the public and charges members or customers a membership fee that collectively equals no less than seven hundred fifty dollars.

407.1249. Assuming a purchaser [has not otherwise accessed any travel benefits and] returns to the travel club all materials of value delivered to the purchaser at closing, all purchasers of travel club memberships from a travel club that is registered shall have the nonwaivable right for a period of three business days after the date of their purchase to rescind and cancel their travel club purchase and receive a full refund of all sums otherwise paid to the travel club within fifteen business days of such rescission, minus the actual and reasonable cost of processing the refund, including credit card fees if applicable. **Use of travel club benefits during such rescission period shall not waive the right afforded by this section.** Individuals who purchase travel club memberships from a travel club that is not registered under sections 407.1240 to 407.1252 shall have a nonwaivable right for a period of three years from the date of purchase to rescind and cancel their travel club membership and shall receive a full refund within fifteen business days of such rescission."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallace, **House Amendment No. 19** was adopted.

Representative Villa offered **House Amendment No. 20**.

*House Amendment No. 20*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 190.451, Page 4, Line 22, by inserting the following after all of said line:

"253.550. **1.** Any person, firm, partnership, trust, estate, or corporation incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, shall be entitled to a credit against the taxes imposed pursuant to chapters 143 and 148, RSMo, except for sections 143.191 to 143.265, RSMo, on that person or entity in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the

Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

**2. For purposes of sections 253.545 to 253.559, any municipal library district and any nonprofit entity to which the municipal library district has transferred a structure shall be deemed a corporation and a for-profit entity, if the nonprofit entity immediately enters into a lease or other agreement that gives the municipal library district the right to use, control, and possess the structure and the structure being rehabilitated was first placed into service before the year 1936. In determining the rehabilitation expenditures for which credits are permitted, Sections 47(c)(2)(B)(v) and 168 of the Internal Revenue Code of 1986, as amended, shall be disregarded.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Villa, **House Amendment No. 20** was adopted.

Representative Holsman offered **House Amendment No. 21**.

*House Amendment No. 21*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 3, Section 72.080, Line 83, by inserting after all of said line the following:

**"94.271. 1. The governing body of any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants may impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels or motels situated in the city or a portion thereof, which shall not be more than five percent per occupied room per night, except that such tax shall not become effective unless the governing body of the city submits to the voters of the city at a state general or primary election a proposal to authorize the governing body of the city to impose a tax under this section. The tax authorized in this section shall be in addition to the charge for the sleeping room and all other taxes imposed by law, and the proceeds of such tax shall be used by the city for the promotion of tourism and to fund the construction, maintenance, and operation of capital improvements. Such tax shall be stated separately from all other charges and taxes.**

**2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:**

Shall ..... (insert the name of the city) impose a tax on the charges for all sleeping rooms paid by the transient guests of hotels and motels situated in ..... (name of city) at a rate of ..... (insert rate of percent) percent for the purpose of promoting tourism and funding the construction, maintenance, and operation of capital improvements?

☐ YES ☐ NO

**If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the question, then the tax shall become effective on the first day of the second calendar quarter following the calendar quarter in which the election was held. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the question, then the tax authorized by this section shall not become effective unless and until the question is resubmitted under this section to the qualified voters of the city and such question is approved by a majority of the qualified voters of the city voting on the question.**

**3. As used in this section, "transient guests" means a person or persons who occupy a room or rooms in a hotel or motel for thirty-one days or less during any calendar quarter.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Darrough offered **House Amendment No. 1 to House Amendment No. 21**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 21*

AMEND House Amendment No. 21 to House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Page 2, Lines 1 and 2, by deleting the words “**and to fund the construction, maintenance, and operation of capital improvements**”; and

Further amend said amendment, Page 2, Lines 12 and 13, by deleting the words “**and funding the construction, maintenance, and operation of capital improvements**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Darrough, **House Amendment No. 1 to House Amendment No. 21** was adopted.

Representative Holsman moved that **House Amendment No. 21, as amended**, be adopted.

Which motion was defeated.

Representative Walsh offered **House Amendment No. 22**.

*House Amendment No. 22*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 190.451, Page 4, Line 22, by inserting after all of said section the following:

"210.221. 1. The department of health and senior services shall have the following powers and duties:

(1) After inspection, to grant licenses to persons to operate child-care facilities if satisfied as to the good character and intent of the applicant and that such applicant is qualified and equipped to render care or service conducive to the welfare of children, and to renew the same when expired. No license shall be granted for a term exceeding two years. Each license shall specify the kind of child-care services the licensee is authorized to perform, the number of children that can be received or maintained, and their ages and sex;

(2) To inspect the conditions of the homes and other places in which the applicant operates a child-care facility, inspect their books and records, premises and children being served, examine their officers and agents, deny, suspend, place on probation or revoke the license of such persons as fail to obey the provisions of sections 210.201 to 210.245 or the rules and regulations made by the department of health and senior services. The director also may revoke or suspend a license when the licensee fails to renew or surrenders the license;

(3) To promulgate and issue rules and regulations the department deems necessary or proper in order to establish standards of service and care to be rendered by such licensees to children. No rule or regulation promulgated by the division shall in any manner restrict or interfere with any religious instruction, philosophies or ministries provided by the facility and shall not apply to facilities operated by religious organizations which are not required to be licensed; [and]

(4) To determine what records shall be kept by such persons and the form thereof, and the methods to be used in keeping such records, and to require reports to be made to the department at regular intervals; **and**

**(5) To deny, suspend, place on probation, or revoke a license for any child care facility that does not obtain and maintain a local license or permit for the operation of a child care facility, if required by local law.**

2. Any child-care facility may request a variance from a rule or regulation promulgated pursuant to this section. The request for a variance shall be made in writing to the department of health and senior services and shall include the reasons the facility is requesting the variance. The department shall approve any variance request that does not endanger the health or safety of the children served by the facility. The burden of proof at any appeal of a disapproval of a variance application shall be with the department of health and senior services. Local inspectors may grant a variance, subject to approval by the department of health and senior services.

3. The department shall deny, suspend, place on probation or revoke a license if:

(1) It receives official written notice that the local governing body has found that license is prohibited by any local law related to the health and safety of children. The department may, after inspection, find the licensure, denial of licensure, suspension or revocation to be in the best interest of the state; or

(2) **It receives official written notice from the local governing body that the local license or permit for the child care facility has been denied, suspended, placed on probation, or revoked.**

4. **For any child care facility required to obtain and maintain a local license or permit issued by a political subdivision of this state and the requirements of such local license or permit are consistent with but more restrictive than the child care facility licensure requirements of the state, the child care facility shall be required to meet the requirements for the local license or permit in order to maintain the facility's state licensure. Any child care facility that does not obtain or maintain the required local license or permit shall be subject to state licensure sanction in accordance with subsection 3 of this section.**

5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in sections 210.201 to 210.245 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. All rulemaking authority delegated prior to August 28, 1999, is of no force and effect and repealed. Nothing in this section shall be interpreted to repeal or affect the validity of any rule filed or adopted prior to August 28, 1999, if it fully complied with all applicable provisions of law. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 1999, shall be invalid and void.

6. **Nothing in this section shall be construed to eliminate any licensing exemptions under state law or authorize any local licensure of such facilities otherwise exempted from state licensure."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Walsh, **House Amendment No. 22** was adopted.

Representative Pearce offered **House Amendment No. 23**.

*House Amendment No. 23*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 72.080, Page 3, Line 83, by inserting after all of said line the following:

"135.967. 1. A taxpayer who establishes a new business facility may, upon approval by the department, be allowed a credit, each tax year for up to ten tax years, in an amount determined as set forth in this section, against the tax imposed by chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo. No taxpayer shall receive multiple ten-year periods for subsequent expansions at the same facility.

2. Notwithstanding any provision of law to the contrary, any taxpayer who establishes a new business facility in an enhanced enterprise zone and is awarded state tax credits under this section may not also receive tax credits under sections 135.100 to 135.150, sections 135.200 to 135.268, or section 135.535.

3. No credit shall be issued pursuant to this section unless:

(1) The number of new business facility employees engaged or maintained in employment at the new business facility for the taxable year for which the credit is claimed equals or exceeds two; and

(2) The new business facility investment for the taxable year for which the credit is claimed equals or exceeds one hundred thousand dollars.

4. The annual amount of credits allowed for an approved enhanced business enterprise shall be the lesser of:

(1) The annual amount authorized by the department for the enhanced business enterprise, which shall be limited to the projected state economic benefit, as determined by the department; or

(2) The sum calculated based upon the following:

(a) A credit of four hundred dollars for each new business facility employee employed within an enhanced enterprise zone;

(b) An additional credit of four hundred dollars for each new business facility employee who is a resident of an enhanced enterprise zone;

(c) An additional credit of four hundred dollars for each new business facility employee who is paid by the enhanced business enterprise a wage that exceeds the average wage paid within the county in which the facility is located, as determined by the department; and

(d) A credit equal to two percent of new business facility investment within an enhanced enterprise zone.

5. Prior to January 1, 2007, in no event shall the department authorize more than four million dollars annually to be issued for all enhanced business enterprises. After December 31, 2006, in no event shall the department authorize more than [fourteen] **twenty-four** million dollars annually to be issued for all enhanced business enterprises.

6. If a facility, which does not constitute a new business facility, is expanded by the taxpayer, the expansion shall be considered eligible for the credit allowed by this section if:

(1) The taxpayer's new business facility investment in the expansion during the tax period in which the credits allowed in this section are claimed exceeds one hundred thousand dollars and if the number of new business facility employees engaged or maintained in employment at the expansion facility for the taxable year for which credit is claimed equals or exceeds two, and the total number of employees at the facility after the expansion is at least two greater than the total number of employees before the expansion; and

(2) The taxpayer's investment in the expansion and in the original facility prior to expansion shall be determined in the manner provided in subdivision (14) of section 135.950.

7. The number of new business facility employees during any taxable year shall be determined by dividing by twelve the sum of the number of individuals employed on the last business day of each month of such taxable year. If the new business facility is in operation for less than the entire taxable year, the number of new business facility employees shall be determined by dividing the sum of the number of individuals employed on the last business day of each full calendar month during the portion of such taxable year during which the new business facility was in operation by the number of full calendar months during such period. For the purpose of computing the credit allowed by this section in the case of a facility which qualifies as a new business facility under subsection 6 of this section, and in the case of a new business facility which satisfies the requirements of paragraph (c) of subdivision (14) of section 135.950, or subdivision (22) of section 135.950, the number of new business facility employees at such facility shall be reduced by the average number of individuals employed, computed as provided in this subsection, at the facility during the taxable year immediately preceding the taxable year in which such expansion, acquisition, or replacement occurred and shall further be reduced by the number of individuals employed by the taxpayer or related taxpayer that was subsequently transferred to the new business facility from another Missouri facility and for which credits authorized in this section are not being earned, whether such credits are earned because of an expansion, acquisition, relocation, or the establishment of a new facility.

8. In the case where a new business facility employee who is a resident of an enhanced enterprise zone for less than a twelve-month period is employed for less than a twelve-month period, the credits allowed by paragraph (b) of subdivision (2) of subsection 4 of this section shall be determined by multiplying four hundred dollars by a fraction, the numerator of which is the number of calendar days during the taxpayer's tax year for which such credits are claimed, in which the employee was a resident of an enhanced enterprise zone, and the denominator of which is three hundred sixty-five.

9. For the purpose of computing the credit allowed by this section in the case of a facility which qualifies as a new business facility pursuant to subsection 6 of this section, and in the case of a new business facility which satisfies the requirements of paragraph (c) of subdivision (14) of section 135.950 or subdivision (22) of section 135.950, the amount of the taxpayer's new business facility investment in such facility shall be reduced by the average amount, computed as provided in subdivision (14) of section 135.950 for new business facility investment, of the investment of the taxpayer, or related taxpayer immediately preceding such expansion or replacement or at the time of acquisition. Furthermore, the amount of the taxpayer's new business facility investment shall also be reduced by the amount of investment employed by the taxpayer or related taxpayer which was subsequently transferred to the new business facility from another Missouri facility and for which credits authorized in this section are not being earned, whether such credits are earned because of an expansion, acquisition, relocation, or the establishment of a new facility.

10. For a taxpayer with flow-through tax treatment to its members, partners, or shareholders, the credit shall be allowed to members, partners, or shareholders in proportion to their share of ownership on the last day of the taxpayer's tax period.

11. Credits may not be carried forward but shall be claimed for the taxable year during which commencement of commercial operations occurs at such new business facility, and for each of the nine succeeding taxable years for which the credit is issued.

12. Certificates of tax credit authorized by this section may be transferred, sold, or assigned by filing a notarized endorsement thereof with the department that names the transferee, the amount of tax credit transferred, and

the value received for the credit, as well as any other information reasonably requested by the department. The sale price cannot be less than seventy-five percent of the par value of such credits.

13. The director of revenue shall issue a refund to the taxpayer to the extent that the amount of credits allowed in this section exceeds the amount of the taxpayer's income tax.

14. Prior to the issuance of tax credits, the department shall verify through the department of revenue, or any other state department, that the tax credit applicant does not owe any delinquent income, sales, or use tax or interest or penalties on such taxes, or any delinquent fees or assessments levied by any state department and through the department of insurance that the applicant does not owe any delinquent insurance taxes. Such delinquency shall not affect the authorization of the application for such tax credits, except that the amount of credits issued shall be reduced by the applicant's tax delinquency. If the department of revenue or the department of insurance, or any other state department, concludes that a taxpayer is delinquent after June fifteenth but before July first of any year and the application of tax credits to such delinquency causes a tax deficiency on behalf of the taxpayer to arise, then the taxpayer shall be granted thirty days to satisfy the deficiency in which interest, penalties, and additions to tax shall be tolled. After applying all available credits toward a tax delinquency, the administering agency shall notify the appropriate department, and that department shall update the amount of outstanding delinquent tax owed by the applicant. If any credits remain after satisfying all insurance, income, sales, and use tax delinquencies, the remaining credits shall be issued to the applicant, subject to the restrictions of other provisions of law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Pearce, **House Amendment No. 23** was adopted.

Representative Wasson requested a division of the question on **HCS SCS SB 765, as amended.**

On motion of Representative Schneider, **Part I of HCS SCS SB 765** was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Curls	Daus
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Nance	Nasheed	Nieves	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa

Vogt	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	

NOES: 006

Cooper 120	Cunningham 86	Day	Muschany	Scharnhorst
Mr Speaker				

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	Dusenberg	El-Amin	George	Harris 110
Moore	Nolte	Pollock	Robinson	Spreng
Walton				

VACANCIES: 002

Representative Nieves resumed the Chair.

Representative Fallert offered **House Amendment No. 1 to Part II of HCS SCS SB 765, as amended.**

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, Section 311.060, Page 6, Line 70, by inserting the following after all of said line:

"311.090. 1. Any person who possesses the qualifications required by this chapter, and who meets the requirements of and complies with the provisions of this chapter, and the ordinances, rules and regulations of the incorporated city in which such licensee proposes to operate his business, may apply for, and the supervisor of liquor control may issue, a license to sell intoxicating liquor, as defined in this chapter, by the drink at retail for consumption on the premises described in the application; provided, that no license shall be issued for the sale of intoxicating liquor, other than malt liquor containing alcohol not in excess of five percent by weight, and light wines containing not in excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other fruits and vegetables, by the drink at retail for consumption on the premises where sold to any person other than a charitable, fraternal, religious, service or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as amended, in any incorporated city having a population of less than nineteen thousand five hundred inhabitants, until the sale of such intoxicating liquor, by the drink at retail for consumption on the premises where sold, shall have been authorized by a vote of the majority of the qualified voters of the city. Such authority shall be determined by an election to be held in those cities having a population of less than nineteen thousand five hundred inhabitants as determined by the last preceding federal decennial census, under the provisions and methods set out in this chapter. Once such licenses are issued in a city with a population of at least nineteen thousand five hundred inhabitants, any subsequent loss of population shall not require the qualified voters of such a city to approve the sale of such intoxicating liquor prior to the issuance or renewal of such licenses. No license shall be issued for the sale of intoxicating liquor, other than malt liquor containing alcohol not in excess of five percent by weight, and light wines containing not in excess of fourteen percent of alcohol by weight made exclusively from grapes, berries and other fruits and vegetables, by the drink at retail for consumption on the premises where sold, outside the limits of such incorporated cities unless the licensee is a charitable, fraternal, religious, service or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States Internal Revenue Code of 1954, as amended.

2. Notwithstanding any other provisions of this chapter to the contrary, any charitable, fraternal, religious, service or veterans' organization which has obtained an exemption from the payment of federal income taxes as provided in section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(7), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the United States



Internal Revenue Code of 1954, as amended, may apply for, and the supervisor of liquor control may issue, a license to sell intoxicating liquor, as defined in this chapter, between the hours of [11:00] **9:00** a.m. on Sunday and midnight on Sunday by the drink at retail for consumption on the premises described in the application. The authority for the collection of fees by cities and counties as provided in section 311.220, and all other laws and regulations of the state relating to the sale of liquor by the drink for consumption on the premises where sold, shall apply to organizations licensed under this subsection in the same manner as they apply to establishments licensed under subsection 1 of this section and sections 311.085 and 311.095. In addition to all other fees required by law, an organization licensed under this section shall pay an additional fee of two hundred dollars a year payable at the same time and in the same manner as its other license fees.

3. If any charitable, fraternal, religious, service, or veterans' organization has a license to sell intoxicating liquor on its premises pursuant to this section and such premises includes two or more buildings in close proximity, such permit shall be valid for the sale of intoxicating liquor at any such building." ; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Fallert moved that **House Amendment No. 1 to Part II of HCS SCS SB 765, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 059

Aull	Bland	Brandom	Brown 50	Burnett
Chappelle-Nadal	Cooper 120	Corcoran	Curls	Daus
Donnelly	Dougherty	Fallert	George	Guest
Harris 23	Haywood	Hodges	Holsman	Hubbard
Johnson	Jones 89	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Pearce	Roorda	Salva	Schaaf
Schieffer	Schneider	Schoemehl	Self	Skaggs
Smith 14	St. Onge	Storch	Talboy	Tilley
Villa	Vogt	Wallace	Walsh	Yaeger
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 091

Avery	Baker 25	Baker 123	Bivins	Bringer
Brown 30	Bruns	Casey	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Harris 110
Hobbs	Hoskins	Hunter	Ice	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Munzlinger	Muschany	Nance	Nieves
Onder	Parkinson	Parson	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schlottach	Schoeller
Shively	Silvey	Smith 150	Stevenson	Stream
Swinger	Thomson	Threlkeld	Todd	Viebrock
Wasson	Wells	Weter	Whorton	Wildberger

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Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yates				

PRESENT: 000

ABSENT WITH LEAVE: 011

Darrough	Dusenberg	El-Amin	Hughes	Moore
Nolte	Robinson	Spreng	Sutherland	Walton
Wright-Jones				

VACANCIES: 002

Speaker Jetton resumed the Chair.

Representative Schneider moved that **Part II of HCS SCS SB 765, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 044

Bivins	Brandom	Cooper 120	Cox	Cunningham 86
Curls	Darrough	Day	Dougherty	Fares
Funderburk	George	Guest	Harris 23	Holsman
Hubbard	Hunter	Icet	Lembke	LeVota
Meiners	Munzlinger	Muschany	Nasheed	Page
Parkinson	Pearce	Robb	Rucker	Schaaf
Scharnhorst	Smith 14	Smith 150	St. Onge	Storch
Talboy	Tilley	Villa	Vogt	Walsh
Wildberger	Young	Zweifel	Mr Speaker	

NOES: 108

Aull	Avery	Baker 25	Baker 123	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cunningham 145	Daus
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fallert	Fisher	Flook	Frame	Franz
Grill	Grisamore	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hughes	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Nance
Nieves	Nolte	Norr	Oxford	Parson
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Roorda	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schad	Schieffer
Schlottach	Schneider	Schoeller	Shively	Silvey
Skaggs	Stevenson	Stream	Sutherland	Swinger
Thomson	Threlkeld	Todd	Viebrock	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 009

Bland	El-Amin	Moore	Onder	Robinson
Schoemehl	Self	Spreng	Walton	

VACANCIES: 002

Representative Cooper (120) assumed the Chair.

Speaker Jetton resumed the Chair.

Representative Cooper (120) resumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kelly	Kingery
Lembke	Lipke	Loehner	Marsh	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 061

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meadows
Meiners	Nasheed	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton

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Wildberger Zweifel	Witte	Yaeger	Young	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Dougherty	El-Amin	Kasten	Kraus
Moore	Norr	Robinson	Scharnhorst	Spreng
Walton	Wright-Jones			

VACANCIES: 002

On motion of Representative Schneider, **Part III of HCS SCS SB 765** was adopted by the following vote:

AYES: 088

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Casey	Cooper 120	Cox	Cunningham 86
Darrough	Davis	Day	Donnelly	Dougherty
Ervin	Faith	Fallert	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Holsman	Hoskins	Hubbard	Hunter
Ice	Jones 117	Kasten	Komo	Kratky
Kuessner	Lembke	LeVota	Liese	McClanahan
Meadows	Meiners	Munzlinger	Muschany	Nance
Nasheed	Nolte	Onder	Page	Parkinson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Robb	Roorda	Rucker	Ruestman	Salva
Sander	Scavuzzo	Schaaf	Scharnhorst	Schieffer
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	St. Onge	Storch	Stream	Swinger
Tilley	Todd	Walsh	Wells	Whorton
Wildberger	Witte	Wright 159	Wright-Jones	Young
Zimmerman	Zweifel	Mr Speaker		

NOES: 057

Avery	Brown 30	Brown 50	Burnett	Chappelle-Nadal
Cooper 155	Corcoran	Cunningham 145	Curls	Daus
Deeken	Denison	Dethrow	Emery	Fisher
Harris 110	Haywood	Hobbs	Hodges	Hughes
Johnson	Kelly	Kingery	Lampe	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McGhee	Nieves	Oxford	Parson	Richard
Ruzicka	Sater	Schad	Schlottach	Schneider
Schoeller	Skaggs	Stevenson	Sutherland	Talboy
Thomson	Threlkeld	Viebrock	Villa	Vogt
Wallace	Wasson	Weter	Wilson 119	Wilson 130
Wood	Yaeger			

PRESENT: 005

Dixon	Fares	Flook	Jones 89	Norr
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ABSENT WITH LEAVE: 011

Bland	Bruns	Dusenberg	El-Amin	Kraus
Moore	Quinn 9	Robinson	Spreng	Walton
Yates				

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Iceet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 066

Aull	Baker 25	Bringer	Brown 30	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				

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PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	El-Amin	Moore	Robinson	Spreng
Walton				

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

Representative Schneider moved that **Part IV of HCS SCS SB 765, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 036

Brandom	Cooper 120	Cox	Cunningham 86	Curls
Dougherty	Fares	Funderburk	Harris 23	Kasten
Kratky	May	Meiners	Munzlinger	Nance
Nasheed	Parkinson	Pearce	Pollock	Robb
Rucker	Schaaf	Scharnhorst	Schoemehl	Smith 14
Stream	Talboy	Tilley	Villa	Vogt
Walsh	Wildberger	Wright 159	Yaeger	Young
Mr Speaker				

NOES: 119

Aull	Avery	Baker 25	Baker 123	Bivins
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cunningham 145
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	McClanahan
McGhee	Meadows	Muschany	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Roorda	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 150	Stevenson	St. Onge	Storch
Sutherland	Swinger	Thomson	Threlkeld	Todd
Viebrock	Wallace	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Yates	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 006

Bland	El-Amin	Moore	Robinson	Spreng
Walton				

VACANCIES: 002

On motion of Representative Schneider, **Part I and Part III of HCS SCS SB 765** was read the third time and passed by the following vote:

AYES: 147

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruzicka	Salva	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 003

Cooper 155	Sander	Yates
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PRESENT: 001

Kraus

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ABSENT WITH LEAVE: 010

Bland	Burnett	El-Amin	McGhee	Moore
Nieves	Robinson	Ruestman	Spreng	Walton

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 151

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 010

Bland	Cooper 120	El-Amin	Funderburk	Moore
Nolte	Robinson	Spreng	Talboy	Walton

VACANCIES: 002



### **BILL CARRYING REQUEST MESSAGE**

**HCS SCS SBs 930 & 947, as amended**, relating to aviation, was taken up by Representative St. Onge.

Representative St. Onge moved that the House refuse to recede from its position on **HCS SCS SBs 930 & 947, as amended**, and grant the Senate a conference.

Representative Nieves resumed the Chair.

Representative Day assumed the Chair.

Speaker Pro Tem Pratt resumed the Chair,

**HCS SCS SBs 930 & 947, as amended, with motion pending**, was laid over.

On motion of Representative Tilley, the House recessed until 6:30 p.m.

### **EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Jetton.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3036 through House Resolution No. 3096

### **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1550**, entitled:

An act to repeal sections 167.031, 211.021, 211.033, 211.034, 211.041, 211.061, 211.071, 211.091, 211.101, and 478.466, RSMo, and to enact in lieu thereof eleven new sections relating to courts, with penalty provisions and a contingent effective date for certain sections.

With Senate Amendment No. 1 and Senate Amendment No. 2.

#### *Senate Amendment No. 1*

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1550, Page 19, Section 478.466, Line 22, by inserting after all of said line the following:

"559.600. In cases where the board of probation and parole is not required under section 217.750, RSMo, to provide probation supervision and rehabilitation services for misdemeanor offenders, the circuit and associate circuit judges in a circuit may contract with one or more private entities **or other court-approved entity** to provide such services. The court-approved [private] entity, **including private or other entities**, shall act as a misdemeanor probation office in that circuit and shall, pursuant to the terms of the contract, supervise persons placed on probation by the judges for class A, B, and C misdemeanor offenses, specifically including persons placed on probation for violations of section 577.023, RSMo. Nothing in sections 559.600 to 559.615 shall be construed to prohibit the board of probation and parole,

or the court, from supervising misdemeanor offenders in a circuit where the judges have entered into a contract with a [private] probation entity."; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1550, Page 18, Section 211.101, Line 15, by inserting immediately after said line the following:

"221.515. **1. Any person designated a jailer under the provisions of this chapter shall have the power to serve [an arrest warrant] civil process and arrest warrants on any person who surrenders himself or herself to the facility under an arrest warrant or** is already an inmate in the custody of the facility in or at which such jailer is employed.

**2. Under the rules and regulations of the sheriff, employees designated as jailers may carry firearms when necessary for the proper discharge of their duties as jailers in this state under the provisions of this chapter.**

**3. Such persons authorized to act by the sheriff as jailers under the rules and regulations of the sheriff shall have the same power as granted any other law enforcement officers in this state to arrest escaped prisoners and apprehend all persons who may be aiding and abetting such escape while in the custody of the sheriff in accordance with state law.";** and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HB 1790**, entitled:

An act to repeal sections 190.100, 190.176, 190.200, 190.241, 190.243, and 190.245, RSMo, and to enact in lieu thereof six new sections relating to the time critical diagnosis system.

With Senate Amendment No. 1.

*Senate Amendment No. 1*

AMEND Senate Substitute for House Committee Substitute for House Bill No. 1790, Page 1, Section A, Line 5 of said page, by inserting after all of said line the following:

"96.160. **1. Each facility established or operated and maintained under the provisions of sections 96.150 to 96.228 shall be governed by a board of trustees who shall serve without compensation. Each such board of trustees shall consist of five trustees, who shall be citizens of the city, unless the council shall provide by ordinance for a larger board of not more than fifteen trustees. Trustees shall be appointed by the mayor with the approval of the council and shall be chosen with reference to their fitness for such position; provided no member of the city council and no member of the immediate family of a member of the city council shall be a member of the board.**

**2. An ordinance providing for a larger board of trustees [shall require that three-fifths of such trustees shall be citizens of the city and] may provide that ~~some or all of the~~ [remaining] trustees need not be citizens of the city, but shall be citizens of the state of Missouri.**

**3. Any city establishing or maintaining and operating more than one health care facility may provide by ordinance that one board of trustees shall manage and operate two or more health care facilities.";** and

Further amend the title and enacting clause accordingly.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 1883**, entitled:

An act to repeal sections 287.020, 287.200, 287.230, 290.505, and 320.336, RSMo, and to enact in lieu thereof seven new sections relating to employment, with penalty provisions and an emergency clause for certain sections.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 2191**, entitled:

An act to repeal sections 160.545, 173.256, and 173.258, RSMo, and to enact in lieu thereof three new sections relating to higher education scholarships.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SS SCS SB 711, as amended**, and has taken up and passed **CCS HCS SS SCS SB 711**.

### BILLS CARRYING REQUEST MESSAGES

**HCS SCS SBs 930 & 947, as amended, with motion pending**, relating to transportation, was again taken up by Representative St. Onge.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

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NOES: 041

Aull	Baker 25	Bringer	Burnett	Casey
Curls	Darrough	Daus	Donnelly	Fallert
Grill	Harris 110	Holsman	Hubbard	Hughes
Johnson	Komo	Kuessner	Lampe	Liese
McClanahan	Nasheed	Norr	Oxford	Page
Quinn 9	Scavuzzo	Schieffer	Shively	Skaggs
Spreng	Swinger	Talboy	Todd	Villa
Walsh	Whorton	Wildberger	Witte	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 033

Bland	Brown 50	Chappelle-Nadal	Corcoran	Dougherty
El-Amin	Frame	George	Harris 23	Haywood
Hodges	Hoskins	Hunter	Kratky	LeVota
Low 39	Lowe 44	Meadows	Meiners	Moore
Portwood	Robinson	Roorda	Rucker	Salva
Schneider	Schoemehl	Storch	Vogt	Walton
Wright-Jones	Yaeger	Young		

VACANCIES: 002

Representative St. Onge again moved that the House refuse to recede from its position on **HCS SCS SBs 930 & 947, as amended**, and grant the Senate a conference.

Which motion was adopted by the following vote:

AYES: 131

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Hoskins	Hubbard	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock

Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zweifel
Mr Speaker				

NOES: 018

Burnett	Chappelle-Nadal	Daus	George	Haywood
Holsman	Johnson	Komo	LeVota	Low 39
Oxford	Roorda	Skaggs	Talboy	Vogt
Wildberger	Young	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Dougherty	Hughes	Hunter	Moore
Portwood	Robinson	Salva	Schneider	Spreng
Walton	Wright-Jones			

VACANCIES: 002

**HCS SCS SB 720, as amended**, relating to utility regulation and scrap metal, was taken up by Representative Smith (150).

Representative Smith (150) moved that the House refuse to recede from its position on **HCS SCS SB 720, as amended**, and grant the Senate a conference, and the House conferees be allowed to exceed the differences on Section 393.275, Section 393.171 and the court imposition of certain damages.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

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NOES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 123	Bland	Corcoran	Dougherty	Hubbard
Hunter	Johnson	Lowe 44	Moore	Page
Portwood	Richard	Robinson	Schneider	Walton
Wright-Jones				

VACANCIES: 002

Representative Smith (150) again moved that the House refuse to recede from its position on **HCS SCS SB 720, as amended**, and grant the Senate a conference, and the House conferees be allowed to exceed the differences on Section 393.275, Section 393.171 and the court imposition of certain damages.

Which motion was adopted by the following vote:

AYES: 102

Avery	Baker 123	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hubbard
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kratky	Kraus	Lampe	Lembke
Lipke	Loehner	Marsh	May	McGhee
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Whorton

Wilson 119	Wilson 130	Wood	Wright 159	Yates
Young	Mr Speaker			

NOES: 050

Aull	Baker 25	Bringer	Burnett	Chappelle-Nadal
Corcoran	Darrough	Daus	Donnelly	El-Amin
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Johnson	Komo	Kuessner	LeVota	Liese
Low 39	McClanahan	Meadows	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 009

Dougherty	Hunter	Lowe 44	Moore	Portwood
Robinson	Schneider	Walton	Wright-Jones	

VACANCIES: 002

**HCS SB 1288, as amended**, relating to ethics, was taken up by Representative Cooper (120).

Representative Cooper (120) moved that the House refuse to recede from its position on **HCS SB 1288, as amended**, and grant the Senate a conference.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter

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Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	McClanahan	Meadows
Meiners	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 013

Dougherty	Hughes	Hunter	Lowe 44	Moore
Nasheed	Portwood	Robinson	Schneider	Stevenson
Walton	Wright-Jones	Young		

VACANCIES: 002

Representative Cooper (120) again moved that the House refuse to recede from its position on **HCS SB 1288, as amended**, and grant the Senate a conference.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		



NOES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Norr	Oxford	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Storch
Swinger	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper 120	Dougherty	Hunter	Lowe 44	Moore
Page	Portwood	Robinson	Talboy	Walton
Wright-Jones				

VACANCIES: 002

## APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**HCS SCS SB 720:** Representatives Smith (150), Schoeller, Emery, Skaggs and Walsh  
**HCS SCS SBs 930 & 947:** Representatives St. Onge, Hobbs, Quinn (7), Fallert and Quinn (9)  
**HCS SB 1288:** Representatives Cooper (120), May, Cox, Frame and Low (39)

## THIRD READING OF SENATE BILLS - CONSENT

**SCS SB 1168**, relating to premium refund calculations, was taken up by Representative Scharnhorst.

On motion of Representative Scharnhorst, **SCS SB 1168** was truly agreed to and finally passed by the following vote:

AYES: 094

Bivins	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	Marsh	May	McGhee	Meiners

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Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Spreng	Stevenson	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Zimmerman	Mr Speaker	

NOES: 054

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hubbard	Hughes	Johnson	Kratky
Kuessner	LeVota	Low 39	McClanahan	Meadows
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 123	Cooper 120	Corcoran	Daus
Hunter	Lowe 44	Moore	Robinson	Salva
St. Onge	Vogt	Walton		

VACANCIES: 002

Speaker Jetton declared the bill passed.

Representative Cooper (120) resumed the Chair.

Speaker Jetton resumed the Chair.

**HCS SCS SB 1039**, relating to emergency services, was taken up by Representative Weter.

On motion of Representative Weter, **HCS SCS SB 1039** was read the third time and passed by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares

Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 003

Darrough	Kratky	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Corcoran	Hunter	Johnson	Meadows
Meiners	Moore	Parson	Robinson	Salva
Schneider	Sutherland	Vogt	Walton	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SCS SB 951**, relating to financial institutions, was taken up by Representative Spreng.

On motion of Representative Spreng, **SCS SB 951** was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs

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Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper 120	Hunter	Meadows	Moore	Nasheed
Parson	Robinson	Salva	Walton	Wasson
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 991**, relating to the official state dessert, was taken up by Representative Schlottach.

On motion of Representative Schlottach, **SB 991** was truly agreed to and finally passed by the following vote:

AYES: 112

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cunningham 145	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Franz	Funderburk
Grill	Grisamore	Hodges	Holsman	Hoskins
Hubbard	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kratky	Lampe	Lembke
Liese	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Nance
Nasheed	Nieves	Onder	Page	Parkinson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Rucker	Ruestman

Ruzicka	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Young
Zweifel	Mr Speaker			

NOES: 031

Bringer	Cunningham 86	Daus	Donnelly	Dougherty
Dusenberg	Flook	George	Guest	Harris 23
Harris 110	Haywood	Hughes	Johnson	Komo
Kraus	Kuessner	LeVota	Lipke	Low 39
Norr	Oxford	Roorda	Skaggs	Swinger
Talboy	Whorton	Wildberger	Wright-Jones	Yates
Zimmerman				

PRESENT: 004

Bruns	Frame	Muschany	Nolte
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ABSENT WITH LEAVE: 014

Baker 123	Cooper 120	Corcoran	Cox	Hobbs
Hunter	Lowe 44	Moore	Parson	Robinson
Salva	Sater	Spreng	Walton	

VACANCIES: 002

Speaker Jetton declared the bill passed.

Representative Cooper (120) resumed the Chair.

**HCS SCS SBs 753, 728, 906 & 1026**, relating to memorial highway designations, was taken up by Representative Swinger.

On motion of Representative Swinger, **HCS SCS SBs 753, 728, 906 & 1026** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89

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Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Marsh	May	McClanahan	McGhee	Meiners
Munzlinger	Muschany	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 123	Brown 30	Corcoran	Fisher	Hunter
Lowe 44	Meadows	Moore	Nance	Parson
Robinson	Salva	Sater	Spreng	Walton
Mr Speaker				

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

Speaker Jetton resumed the Chair.

**HCS SB 723**, relating to law enforcement personnel, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS SB 723** was read the third time and passed by the following vote:

AYES: 141

Aull	Baker 123	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kratky	Kraus	Kuessner	Lampe

Lembke	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Zweifel
Mr Speaker				

NOES: 007

Burnett	Frame	Hughes	Komo	LeVota
Skaggs	Talboy			

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 25	Cooper 120	El-Amin	Hunter
Low 39	Lowe 44	Moore	Portwood	Robinson
Spreng	Vogt	Walton		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SB 733**, relating to crime laboratories, was taken up by Representative Bruns.

On motion of Representative Bruns, **HCS SB 733** was read the third time and passed by the following vote:

AYES: 145

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May

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McClanahan	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 123	Cooper 120	Cooper 155	Hughes
Hunter	Kingery	Low 39	Moore	Page
Portwood	Robinson	Spreng	Vogt	Walton

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SB 797**, relating to elections, was taken up by Representative May.

Representative May offered **House Perfecting Amendment No. 1**.

*House Perfecting Amendment No. 1*

AMEND House Committee Substitute for Senate Bill No. 797, Section 115.087, Page 1, Line 4, by deleting from said line the word "**commission**" and inserting in lieu thereof the word "**committee**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative May, **House Perfecting Amendment No. 1** was adopted.

On motion of Representative May, **HCS SB 797, as amended**, was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow



Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Talboy

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Cooper 120	Hunter	Low 39
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Shively	Spreng	Vogt	Walton
Wasson				

VACANCIES: 002

Speaker Jetton declared the bill passed.

Representative Cooper (120) resumed the Chair.

**SB 801**, relating to Kansas City Police Officer salaries, was taken up by Representative Flook.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Yates	Mr Speaker

NOES: 063

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Chappelle-Nadal	Dougherty	Hunter	Marsh
Moore	Portwood	Robinson	Spreng	Vogt
Walton	Wright 159	Young		

VACANCIES: 002

On motion of Representative Flook, **SB 801** was truly agreed to and finally passed by the following vote:

AYES: 147

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Denison	Dethrow
Dixon	Donnelly	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Chappelle-Nadal	Deeken	Dougherty	Hunter
Lembke	Marsh	Moore	Page	Portwood
Robinson	Spreng	Vogt	Walton	

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**SB 896**, relating to road districts, was taken up by Representative McGhee.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Nance	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 001

Schieffer

ABSENT WITH LEAVE: 017

Avery	Baker 123	Chappelle-Nadal	Dougherty	George
Hunter	Lowe 44	Marsh	Meadows	Moore
Nieves	Portwood	Robinson	Spreng	Vogt
Walton	Mr Speaker			

VACANCIES: 002

On motion of Representative McGhee, **SB 896** was truly agreed to and finally passed by the following vote:

AYES: 121

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	May	McGhee	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zweifel
Mr Speaker				

NOES: 027

Bringer	Burnett	Darrough	Daus	Frame
George	Hodges	Holsman	Hughes	Johnson
Komo	LeVota	Low 39	McClanahan	Meadows
Norr	Oxford	Roorda	Rucker	Schoemehl
Skaggs	Swinger	Talboy	Todd	Wildberger
Witte	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Baker 123	Chappelle-Nadal	Dougherty	Hunter
Lowe 44	Marsh	Moore	Portwood	Robinson
Spreng	Vogt	Walton		

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**SB 936**, relating to motor vehicle emissions inspections, was taken up by Representative Lembke.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Lampe	LeVota
Liese	Low 39	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Todd
Villa	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 123	Curls	Hunter	Kuessner
Lowe 44	Marsh	Moore	Portwood	Robinson
Rucker	Spreng	Talboy	Vogt	Walton

VACANCIES: 002

On motion of Representative Lembke, **SB 936** was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 009

Burnett	George	Hughes	Kuessner	LeVota
Low 39	Quinn 9	Skaggs	Young	

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Baker 123	Hunter	Lowe 44	Marsh
Moore	Portwood	Robinson	Spreng	St. Onge
Talboy	Walton			

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**HCS SB 820**, relating to reclassification of counties, was taken up by Representative Schieffer.

On motion of Representative Schieffer, **HCS SB 820** was read the third time and passed by the following vote:

AYES: 143

Aull	Baker 25	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Daus                      Young

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Bland	Chappelle-Nadal	Corcoran
Hunter	Lowe 44	Marsh	Moore	Nasheed
Portwood	Robinson	Spreng	Sutherland	Talboy
Walton				

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

Speaker Jetton resumed the Chair.



**HCS SB 943**, relating to Springfield airport zone annexation, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **HCS SB 943** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Bland	Brown 50	Cooper 120	Corcoran
Darrough	Hunter	Lowe 44	Marsh	Moore
Page	Portwood	Robinson	Salva	Schneider
Spreng	Walton			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 956**, relating to public water supply districts, was taken up by Representative Hobbs.

On motion of Representative Hobbs, **SB 956** was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hobbs
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McClanahan	McGhee
Meadows	Meiners	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 005

Burnett	Frame	Talboy	Wildberger	Zimmerman
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PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Cooper 120	Corcoran	Denison	Hodges
Hunter	Lowe 44	Marsh	Moore	Portwood
Robinson	Salva	Spreng	Walton	Wasson
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SB 978**, relating to emergency services board, was taken up by Representative Pollock.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hoskins	Ice	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 062

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Cooper 120	Day	Dougherty	Hobbs
Hunter	Jones 89	Marsh	Meadows	Moore
Portwood	Robinson	Salva	Spreng	Vogt
Walton				

VACANCIES: 002

On motion of Representative Pollock, **HCS SB 978** was read the third time and passed by the following vote:

AYES: 123

Aull	Baker 123	Bivins	Brandom	Brown 30
Brown 50	Bruns	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Holsman
Hoskins	Hubbard	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kraus
Kuessner	Lampe	Lembke	Lipke	Loehner
Low 39	May	McGhee	Meiners	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 025

Baker 25	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Daus	Donnelly	Haywood	Hodges
Hughes	Johnson	Komo	LeVota	Liese
Lowe 44	McClanahan	Nasheed	Oxford	Shively
Skaggs	Talboy	Whorton	Wright-Jones	Young

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Cooper 120	Dougherty	Hunter	Marsh
Meadows	Moore	Portwood	Robinson	Salva
Spreng	Vogt	Walton		

VACANCIES: 002

Speaker Jetton declared the bill passed.

Representative Cooper (120) resumed the Chair.

**SB 979**, relating to an income tax credit, was taken up by Representative Dusenberg.

On motion of Representative Dusenberg, **SB 979** was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Ice
Johnson	Jones 117	Kasten	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Baker 123	Cooper 155	Corcoran	Dougherty
El-Amin	Flook	Hunter	Jones 89	Kelly
Lowe 44	Marsh	Meadows	Moore	Portwood
Robinson	Salva	Sater	Spreng	Stevenson
Vogt	Walton	Young		

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

Speaker Jetton resumed the Chair.

**SB 980**, relating to the Kansas City Police Retirement System, was taken up by Representative Flook.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Bivins	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hoskins	Hubbard	Ice	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 056

Baker 25	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 023

Aull	Avery	Baker 123	Cooper 120	Corcoran
Dougherty	El-Amin	Hobbs	Hunter	Jones 89
Lowe 44	Marsh	Moore	Page	Pearce
Portwood	Robinson	Salva	Schneider	Spreng
Vogt	Walton	Young		

VACANCIES: 002

On motion of Representative Flook, **SB 980** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McClanahan	McGhee
Meadows	Meiners	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 123	Cooper 120	Corcoran	Dougherty
El-Amin	Hobbs	Hunter	Lowe 44	Marsh
Moore	Portwood	Robinson	Salva	Spreng
Vogt	Walton	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SB 856**, relating to license plates, was taken up by Representative Fallert.

On motion of Representative Fallert, **HCS SB 856** was read the third time and passed by the following vote:

AYES: 144

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Baker 123	Cooper 120	Corcoran	Hunter
Johnson	Lowe 44	Marsh	Moore	Muschany
Portwood	Robinson	Salva	Spreng	Vogt
Walton	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 999**, relating to use of an institution's name, was taken up by Representative Parson.



On motion of Representative Parson, **SB 999** was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Bland	Faith	Hunter	Johnson
Lowe 44	Marsh	Meadows	Moore	Portwood
Robinson	Salva	Spreng	Vogt	Walton
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SCS SB 1008**, relating to insurance, was taken up by Representative Ervin.

Representative Cooper (120) resumed the Chair.

On motion of Representative Ervin, **HCS SCS SB 1008** was read the third time and passed by the following vote:

AYES: 123

Aull	Baker 123	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kraus
Lampe	Lembke	Liese	Lipke	Loehner
May	McClanahan	McGhee	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 020

Baker 25	Bringer	Burnett	Darrough	Donnelly
Frame	George	Harris 23	Holsman	Hughes
Kratky	LeVota	Schieffer	Schoemehl	Storch
Talboy	Whorton	Wildberger	Wright-Jones	Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Corcoran	Daus	Grill	Haywood
Johnson	Kuessner	Low 39	Lowe 44	Marsh
Moore	Portwood	Robinson	Salva	Spreng
Vogt	Walton	Young		

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

Speaker Jetton resumed the Chair.

**SCS SB 1009**, relating to real estate transactions, was taken up by Representative Wasson.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 058

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meadows	Meiners	Nasheed
Oxford	Page	Quinn 9	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Corcoran	Haywood	Hunter	Johnson
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Spreng	Vogt	Walton	Young

VACANCIES: 002

On motion of Representative Wasson, **SCS SB 1009** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Cooper 120	Corcoran	George	Haywood
Hunter	Johnson	Lowe 44	Marsh	Moore
Portwood	Robinson	Rucker	Salva	Spreng
Walton	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 110

Baker 25	Baker 123	Bivins	Bland	Brandom
Brown 30	Bruns	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Lembke
LeVota	Liese	Lipke	Loehner	May
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Viebrock	Villa	Vogt
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 037

Aull	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Donnelly	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hughes	Kuessner	Lampe
Low 39	McClanahan	Nasheed	Norr	Oxford
Page	Quinn 9	Rucker	Scavuzzo	Schieffer
Schoemehl	Skaggs	Talboy	Todd	Walsh
Whorton	Wildberger			

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Corcoran	Haywood	Hunter	Johnson
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Spreng	Walton	Young	

VACANCIES: 002

**SB 1190**, relating to professional registration, was taken up by Representative Wasson.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	LeVota	Liese	Low 39
McClanahan	Meadows	Meiners	Nasheed	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Corcoran	Haywood	Johnson
Lampe	Lowe 44	Marsh	Moore	Portwood
Robinson	Salva	Spreng	Vogt	Walton
Young				

VACANCIES: 002

On motion of Representative Wasson, **SB 1190** was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Hughes	Low 39	Skaggs	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Baker 123	Cooper 120	Corcoran	Haywood
Hunter	Johnson	Lowe 44	Marsh	Moore
Portwood	Robinson	Salva	Spreng	Vogt
Walton	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 1016**, relating to basic civil law services fund, was taken up by Representative Pratt.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Bivins	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Yates	Mr Speaker		

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Baker 123	Cooper 120	Corcoran	George
Haywood	Hughes	Hunter	Johnson	Lowe 44
Marsh	Moore	Portwood	Robinson	Salva
Schneider	Spreng	Vogt	Walton	Wright 159
Young				

VACANCIES: 002



On motion of Representative Pratt, **SB 1016** was truly agreed to and finally passed by the following vote:

AYES: 142

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 004

Daus	George	Skaggs	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 123	Corcoran	Haywood	Hunter	Johnson
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Spreng	Vogt	Walton	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SCS SB 1033**, relating to real property transfers to counties, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **HCS SCS SB 1033** was read the third time and passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meadows	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 123	Corcoran	Haywood	Hunter	Johnson
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Spreng	Vogt	Walton	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SB 1002**, relating to municipal zoning violation remedies, was taken up by Representative Curls.

On motion of Representative Curls, **HCS SB 1002** was read the third time and passed by the following vote:

AYES: 140

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meadows	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Zimmerman	Zweifel	Mr Speaker

NOES: 003

Kraus	Whorton	Yates
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PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 123	Fallert	Haywood	Holsman	Hunter
Johnson	Lowe 44	Marsh	Moore	Portwood
Robinson	Salva	Spreng	Talboy	Tilley
Vogt	Walton	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SCS SB 1044**, relating to ambulance staffing requirements, was taken up by Representative McGhee.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	Haywood	Holsman	Hunter	Johnson
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Spreng	Walton	Young	

VACANCIES: 002

On motion of Representative McGhee, **SCS SB 1044** was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 25	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Icey	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zweifel	Mr Speaker		

NOES: 014

Burnett	Chappelle-Nadal	Corcoran	Daus	Donnelly
Grill	Harris 23	Hughes	Kratky	Rucker
Storch	Talboy	Wildberger	Zimmerman	

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	Bivins	Haywood	Hunter	Johnson
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Spreng	Walton	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 1061**, relating to county coroners, was taken up by Representative Cooper (120).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 123	Bivins	Haywood	Hunter	Johnson
Lowe 44	Marsh	Moore	Parkinson	Portwood
Robinson	Salva	Spreng	Walton	Young

VACANCIES: 002

On motion of Representative Cooper (120), **SB 1061** was truly agreed to and finally passed by the following vote:

AYES: 134

Aull	Avery	Baker 25	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Davis	Day
Deeken	Denison	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kingery	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 012

Bringer	Darrough	Daus	Dethrow	Emery
Ervin	George	Kelly	Komo	Nasheed
Roorda	Schieffer			

PRESENT: 001

Wilson 119

ABSENT WITH LEAVE: 014

Baker 123	Bivins	Haywood	Hunter	Johnson
Lowe 44	Marsh	Moore	Portwood	Robinson
Salva	Spreng	Walton	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 1073**, relating to United States munitions list items, was taken up by Representative Faith.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 056

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Quinn 9	Roorda	Rucker	Scavuzzo
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zweifel				

PRESENT: 001

Chappelle-Nadal

ABSENT WITH LEAVE: 020

Baker 25	Baker 123	Bivins	Cooper 120	Dougherty
Haywood	Hunter	Johnson	Lowe 44	Marsh
Moore	Page	Portwood	Robinson	Salva
Schieffer	Spreng	Walton	Young	Zimmerman

VACANCIES: 002



On motion of Representative Faith, **SB 1073** was truly agreed to and finally passed by the following vote:

AYES: 142

Aull	Avery	Baker 25	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Wasson
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 003

Talboy	Whorton	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 123	Bivins	Cooper 120	Haywood	Hunter
Johnson	Lowe 44	Marsh	Moore	Portwood
Robinson	Salva	Spreng	Walton	Wright-Jones
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SCS SB 1131**, relating to transportation sales taxes, was taken up by Representative Curls.

On motion of Representative Curls, **HCS SCS SB 1131** was read the third time and passed by the following vote:

AYES: 136

Aull	Avery	Baker 25	Bland	Brandom
Bringer	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Curls	Darrrough	Daus	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
El-Amin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	May	McClanahan	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Zimmerman	Zweifel
Mr Speaker				

NOES: 010

Brown 30	Cunningham 86	Davis	Dusenberg	Emery
Ervin	Kraus	McGhee	Pollock	Yates

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 123	Bivins	Cooper 120	Haywood	Hunter
Johnson	Lowe 44	Marsh	Moore	Portwood
Robinson	Salva	Spreng	Walton	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

# MOTION

Representative George moved that Rule 94 be suspended.

Which motion was defeated by the following vote:

AYES: 031

Aull	Bringer	Burnett	Casey	Chappelle-Nadal
Cunningham 86	Darrough	Dougherty	El-Amin	Flook
Funderburk	George	Holsman	Hoskins	Hughes
Kuessner	Lampe	Low 39	May	Quinn 9
Schaaf	Schieffer	Shively	Swinger	Talboy
Todd	Wallace	Weter	Wilson 130	Witte
Mr Speaker				

NOES: 112

Avery	Baker 25	Bland	Brandom	Brown 30
Bruns	Cooper 155	Corcoran	Cox	Cunningham 145
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Frame	Franz	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lembke	LeVota	Liese	Lipke	Loehner
McClanahan	McGhee	Meadows	Meiners	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Schoemehl	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Villa	Vogt
Walsh	Wasson	Wells	Whorton	Wilson 119
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel			

PRESENT: 003

Brown 50	Oxford	Wildberger
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ABSENT WITH LEAVE: 015

Baker 123	Bivins	Cooper 120	Haywood	Hunter
Johnson	Lowe 44	Marsh	Moore	Portwood
Robinson	Salva	Spreng	Walton	Young

VACANCIES: 002

**THIRD READING OF SENATE BILLS - CONSENT**

**SCS SB 1150**, relating to technology trust fund account, was taken up by Representative Lembke.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 059

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 123	Bivins	Brown 50	Chappelle-Nadal	Cooper 120
Harris 23	Haywood	Hunter	Johnson	Lowe 44
Marsh	Moore	Portwood	Robinson	Salva
Spreng	Walton	Young		

VACANCIES: 002

On motion of Representative Lembke, **SCS SB 1150** was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 25	Bland	Brandom
Bringer	Brown 50	Bruns	Casey	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Day	Deeken	Denison
Dixon	Donnelly	Dougherty	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Walsh	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Zimmerman	Zweifel	Mr Speaker		

NOES: 008

Brown 30	Davis	Dethrow	Dusenberg	Kraus
Pratt	Wilson 119	Yates		

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 123	Bivins	Burnett	Chappelle-Nadal	Cooper 120
Harris 23	Haywood	Hunter	Johnson	Lowe 44
Marsh	Moore	Muschany	Portwood	Robinson
Salva	Spreng	Wallace	Walton	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SCS SBs 1153, 1154, 1155 & 1156**, relating to public employee retirement systems, was taken up by Representative Viebrock.

Representative Tilley moved the previous question.

## Which motion was adopted by the following vote:

AYES: 082

Avery	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 123	Bivins	Chappelle-Nadal	Cooper 120	Harris 23
Harris 110	Haywood	Hunter	Johnson	Lowe 44
Marsh	Moore	Muschany	Portwood	Quinn 7
Robinson	Salva	Spreng	Walton	Young

VACANCIES: 002

On motion of Representative Viebrock, **HCS SCS SBs 1153, 1154, 1155 & 1156** was read the third time and passed by the following vote:

AYES: 140

Aull	Avery	Baker 25	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meadows
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 003

Bringer	Whorton	Wildberger
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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 017

Baker 123	Bivins	Chappelle-Nadal	Cooper 120	Harris 23
Haywood	Hunter	Johnson	Lowe 44	Marsh
Moore	Portwood	Robinson	Salva	Spreng
Walton	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 1177**, relating to licensed professional counselors, was taken up by Representative Cooper (155).

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Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Avery	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Iceet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Pollock	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 123	Bivins	Chappelle-Nadal	Cooper 120	Dougherty
Harris 23	Haywood	Hunter	Johnson	Lowe 44
Marsh	Meadows	Moore	Parson	Pearce
Portwood	Robinson	Salva	Spreng	Vogt
Walton	Young			

VACANCIES: 002



On motion of Representative Cooper (155), **SB 1177** was truly agreed to and finally passed by the following vote:

AYES: 136

Aull	Avery	Baker 25	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	El-Amin	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meiners
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 003

Daus	Skaggs	Wildberger
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PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 123	Bivins	Chappelle-Nadal	Cooper 120	Harris 23
Haywood	Hunter	Johnson	Lowe 44	Marsh
Meadows	Moore	Page	Parson	Portwood
Robinson	Salva	Spreng	Vogt	Walton
Wright 159	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SB 1187**, relating to the State Water Patrol, was taken up by Representative Pollock.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Avery	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Meiners	Nasheed	Norr
Oxford	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 123	Bivins	Chappelle-Nadal	Cooper 120	Harris 23
Haywood	Hunter	Johnson	Lowe 44	Marsh
Meadows	Moore	Page	Parson	Portwood
Robinson	Salva	Spreng	Vogt	Walton
Young				

VACANCIES: 002

On motion of Representative Pollock, **SB 1187** was truly agreed to and finally passed by the following vote:

AYES: 131

Aull	Avery	Baker 25	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Burnett	Daus	Davis	Flook	George
Lembke	Low 39	Skaggs	Talboy	

PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 123	Bivins	Chappelle-Nadal	Cooper 120	Harris 23
Haywood	Hughes	Hunter	Johnson	Lowe 44
Marsh	Meadows	Moore	Parson	Portwood
Robinson	Salva	Spreng	Vogt	Walton
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SB 1135**, relating to street grading in certain cities, was taken up by Representative Curls.

On motion of Representative Curls, **HCS SB 1135** was read the third time and passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Meiners	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 123	Bivins	Chappelle-Nadal	Cooper 120	Cooper 155
Darrough	El-Amin	Harris 23	Haywood	Hunter
Johnson	Lowe 44	Marsh	Meadows	Moore
Portwood	Robinson	Salva	Spreng	Vogt
Walton	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SCS SB 1235**, relating to the Missouri Uniform Trust Code, was taken up by Representative Pratt.

Representative Dougherty moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Brandom	Brown 30	Bruns	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McClanahan	McGhee	Meiners	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 052

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Daus	Donnelly	El-Amin	Fallert	Frame
George	Grill	Holsman	Hoskins	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Baker 123	Bivins	Chappelle-Nadal	Harris 23
Haywood	Hunter	Johnson	Lowe 44	Marsh
Meadows	Moore	Portwood	Robinson	Salva
Schlottach	Spreng	Vogt	Walton	Wilson 119
Young				

VACANCIES: 002

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On motion of Representative Pratt, **SCS SB 1235** was truly agreed to and finally passed by the following vote:

AYES: 130

Aull	Avery	Baker 25	Bland	Brandom
Brown 50	Bruns	Burnett	Casey	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	Liese	Lipke
Loehner	Low 39	May	McClanahan	McGhee
Meiners	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 009

Bringer	Daus	Kuessner	LeVota	Roorda
Shively	Skaggs	Whorton	Wildberger	

PRESENT: 001

Oxford

ABSENT WITH LEAVE: 021

Baker 123	Bivins	Brown 30	Chappelle-Nadal	Cooper 120
Harris 23	Haywood	Hunter	Johnson	Lowe 44
Marsh	Meadows	Moore	Portwood	Robinson
Salva	Silvey	Spreng	Vogt	Walton
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

## COMMITTEE REPORTS

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **SCR 35**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SCR 39**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 1283**, begs leave to report it has examined the same and recommends that it **Do Pass**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 1832**, entitled:

An act to repeal section 72.080, RSMo, and to enact in lieu thereof sixteen new sections relating to a county's governing authority over areas within its territorial boundaries, with penalty provisions and an emergency clause for a certain section.

With Senate Amendment No. 1 and Senate Amendment No. 2.

### *Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1832, Pages 1-2, Section 64.1000, by striking said section from the bill; and

Further amend said bill, Pages 2 and 3, Section 64.1003, by striking said section from the bill; and

Further amend said bill, Pages 3 to 5, Section 64.1006, by striking said section from the bill; and

Further amend said bill, Pages 5 to 12, Section 64.1009, by striking said section from the bill; and

Further amend said bill, Pages 12 to 14, Section 64.1012, by striking said section from the bill; and

Further amend said bill, Pages 14 to 16, Section 64.1015, by striking said section from the bill; and

Further amend said bill, Pages 16 and 17, Section 64.1018, by striking said section from the bill; and

Further amend said bill, Page 17, Section 64.1021, by striking said section from the bill; and

Further amend said bill, Pages 17 to 21, Section 64.1024, by striking said section from the bill; and

Further amend said bill, Pages 21 to 24, Section 64.1027, by striking said section from the bill; and

Further amend said bill, Pages 24 to 27, Section 64.1030, by striking said section from the bill; and

Further amend said bill, Pages 27 to 29, Section 64.1033, by striking said section from the bill; and

Further amend said bill, Page 29, Section 64.1036, by striking said section from the bill; and

Further amend said bill, Pages 29 to 30, Section 64.1039, by striking said section from the bill; and

Further amend said bill, Page 30, Section 64.1042, by striking said section from the bill; and inserting in lieu thereof the following:

**"64.008. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on County Planning and Zoning" to be composed of five members of the senate and five members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. The appointment of each member shall continue during the member's term of office as a member of the general assembly or until a successor has been appointed to fill the member's place when his or her term of office as a member of the general assembly has expired. No party shall be represented by more than three members from the house of representatives or three members from the senate. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.**

**2. The joint committee shall:**

- (1) Make a comprehensive study and analysis of the impact of county planning and zoning regulations;**
- (2) Determine from its study and analysis the need for changes in statutory law;**
- (3) Make any other recommendations to the general assembly relating to its findings.**

**3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives.**

**4. The committee may meet at locations other than Jefferson City when the committee deems it necessary.**

**5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.**

**6. The members of the committee shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.**

**7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than December 31, 2008, and shall include any recommendations which the committee may have for legislative action.**

**8. The provisions of this section shall expire on December 31, 2008.";** and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 1832, Page 1, Line 5 of said page, by inserting immediately after said line the following:

**"49.705. In any county of the third classification without a township form of government and with more than nine thousand six hundred fifty but fewer than nine thousand seven hundred fifty inhabitants, any person or entity, holding an outdoor concert, shall be required to receive approval from the county commission prior to holding such outdoor concert. Any person or entity that violates this section by holding an outdoor concert without prior approval from the county commission shall be assessed a civil fine of up to five thousand dollars. Such violation shall be prosecuted by the prosecuting attorney in the circuit court of the county where the violation occurred.";** and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 720, as amended**: Senators Engler, Dempsey, Lager, Coleman and Barnitz.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the conferees are allowed to exceed the differences on **HCS SCS SB 720, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SBs 930 & 947, as amended**: Senators Stouffer, Rupp, Scott, Kennedy and Shoemyer.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SBs 1034 & 802** and has taken up and passed **HCS SCS SBs 1034 & 802**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SB 1288, as amended**: Senators Shields, Gibbons, Goodman, Coleman and Kennedy.

**CONFERENCE COMMITTEE REPORT  
ON  
SENATE COMMITTEE SUBSTITUTE  
FOR  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 2279**

The Conference Committee appointed on Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, with Senate Amendment Nos. 1, 2, 3, 6, and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill No. 2279;
3. That the attached Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2279, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Billy Pat Wright  
/s/ Shane Schoeller  
/s/ Ed Emery  
/s/ Regina Walsh  
/s/ Trent Skaggs

FOR THE SENATE:

/s/ Kevin Engler  
/s/ Brad Lager  
/s/ John Griesheimer  
/s/ Victor Callahan

**CONFERENCE COMMITTEE REPORT  
FOR  
SENATE BILL NO. 1068**

The Conference Committee appointed for Senate Bill No. 1068, with House Amendments Nos. 1 and 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on Senate Bill No. 1068, as amended;
2. The Senate recede from its position on Senate Bill No. 1068;
3. That the attached Conference Committee Substitute for Senate Bill No. 1068, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Robert Mayer  
/s/ Kevin Engler  
/s/ Brad Lager  
/s/ Wes Shoemyer  
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ David Sater  
/s/ Robert Schaaf  
/s/ Shalonn Curls  
/s/ Terry Swinger  
/s/ Wayne Cooper

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 711**

The Conference Committee appointed on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, with House Amendment Nos. 1 and 2, House Amendment No. 1 to House Amendment No. 3, House Amendment No. 3, as amended, House Amendment Nos. 4 and 5, House Amendment No. 2 to House Amendment No. 6, House Amendment No. 6, as amended, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 711;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 711, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Michael Gibbons  
/s/ Carl Vogel  
/s/ John Griesheimer  
/s/ Harry Kennedy  
/s/ Victor Callahan

FOR THE HOUSE:

/s/ Michael Sutherland  
/s/ Rick Stream  
/s/ Charles Portwood  
/s/ Michael Talboy  
/s/ Clint Zweifel

### ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 11:00 a.m., Thursday, May 15, 2008.

### CORRECTION TO THE HOUSE JOURNAL

#### AFFIDAVIT

I, State Representative Jay Wasson, District 141, hereby state and affirm that my vote as recorded on Page 1528 to adopt Part II of the House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, as amended, in the House Journal for May 13, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 14th day of May 2008.

/s/ Jay Wasson  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 14th day of May in the year 2008.

/s/ Megan Limbach  
Notary Public

## **COMMITTEE MEETINGS**

### **CONFERENCE COMMITTEE NOTICE**

Thursday, May 15, 2008, 9:00 a.m. House Chamber south gallery. CANCELLED.  
Public hearing to be held on: SCS HCS HB 2279

### **FISCAL REVIEW**

Thursday, May 15, 2008, 8:30 a.m. Hearing Room 1.  
Any bills presented to this committee.

### **FISCAL REVIEW**

Friday, May 16, 2008, 8:30 a.m. Hearing Room 1.  
Any bills presented to this committee.

### **RULES - PURSUANT TO RULE 25(21)(f)**

Thursday, May 15, 2008, Hearing Room 6 upon afternoon adjournment.  
Any bill referred to the Committee on Rules.  
Executive session may follow.

## **HOUSE CALENDAR**

SEVENTY-THIRD DAY, THURSDAY, MAY 15, 2008

### **HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 64 - Chappelle-Nadal

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz

- 19 HCS HB 1745 - Robb
- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HB 1468 - Pratt
- 46 HCS HBs 1809 & 2173 - Ruzicka
- 47 HCS HB 2420 - Baker (123)
- 48 HCS HB 2421 - Meiners
- 49 HB 2555 - Pearce
- 50 HB 1484 - Muschany
- 51 HCS HB 1880 - Schaaf
- 52 HCS HB 1884 - Quinn (7)
- 53 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 54 HCS HB 2460 - Emery
- 55 HCS HB 2210 - Jones (89)
- 56 HB 2556 - Hubbard
- 57 HB 1539 - Jones (89)
- 58 HCS HBs 1582 & 1963 - Pearce

### **HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany
- 4 HCS HBs 1736 & 2320, (Fiscal Review 5-09-08) - Nolte

### **HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

### **HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

### **SENATE JOINT RESOLUTIONS FOR THIRD READING**

- 1 SS SCS SJRs 34 & 30 - Bruns
- 2 SJR 45 - Hobbs

### **SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SB 760 - St. Onge
- 2 SCS SB 850 - Meiners
- 3 SB 928 - Schad

### **SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 SB 955 - Wildberger
- 4 SB 970 - May
- 5 HCS SB 1175 - Cox
- 6 SB 1038 - Cox
- 7 SB 885 - Cooper (120)
- 8 SS SCS SB 1059 - Pearce
- 9 SCS SB 1157, E.C. - Walsh
- 10 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 11 HCS SS SCS SBs 818 & 795 - Smith (14)
- 12 HCS SCS SBs 754 & 794 - Lipke
- 13 HCS SS SCS SB 778, (Fiscal Review 5-05-08) - Cooper (155)
- 14 SCS SB 873 - Pratt
- 15 SS SB 1159 - Pratt
- 16 HCS SCS SB 1209, as amended, HA 2, pending, E.C. - Sutherland

- 17 HCS SB 925 - Aull
- 18 HCS SCS SB 994, E.C. - Wallace
- 19 HCS SCS SB 732, (Fiscal Review 5-09-08) - Jones (117)
- 20 HCS SB 953 - Pearce
- 21 HCS#2 SB 976, E.C. - Stevenson
- 22 SCS SB 1040 - Hobbs
- 23 HCS SCS SB 1081, E.C. - Cooper (155)
- 24 SCS SB 1107, E.C. - Pollock
- 25 HCS SCS SB 1172 - Bruns
- 26 HCS#2 SCS SB 781, E.C. - Stevenson
- 27 SB 805 - Kingery
- 28 HCS SCS SB 1170, E.C. - Swinger
- 29 HCS SCS SBs 1181, 1100, 1262 & 1263, E.C. - Schoeller
- 30 SCS SB 788 - Wasson
- 31 HCS#2 SS SCS SB 718, (Fiscal Review 5-14-08), E.C. - Pearce

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS HB 1678, as amended - Day
- 2 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 3 SCS HCS HB 2034, as amended - Munzlinger
- 4 SS SCS HB 1384 & HB 2157 - Cox
- 5 SS SCS HCR 30, (5-06-08, Pages 1347-1348) - Emery
- 6 SCS HCS HB 1715, as amended, E.C. - Schad
- 7 SCS HB 1311 - Hoskins
- 8 SCS HB 1422 - St. Onge
- 9 SCS HB 1450 - Roorda
- 10 SCS HB 1570 - Franz
- 11 SCS HB 1640 - Schoeller
- 12 SCS HB 1689 - Wilson (130)
- 13 SCS HCS HB 1690 - Wilson (130)
- 14 SCS HCS HB 1804, as amended, E.C. - Corcoran
- 15 SCS HCS HB 1807 - Cox
- 16 SCS HB 1946 - Franz
- 17 SCS HB 2047 - Curls
- 18 SCS HCS HB 2048, as amended - Zimmerman
- 19 SCS HB 2065 - Wasson
- 20 SS SCS HCS HB 2058, as amended - Pearce

#### **BILL CARRYING REQUEST MESSAGE**

SCS SB 901, (request House recede on HSA 1 for HA1/take up and pass bill) - Hunter

**BILLS IN CONFERENCE**

- 1 CCR HCS SS SCS SB 931, as amended - Munzlinger
- 2 CCR HCS SB 841, as amended - St. Onge
- 3 CCR SB 1068, HA 1, HA 3 - Sater
- 4 HCS SB 1074, as amended - Smith (14)
- 5 CCR SS SCS HB 2224 - Jones (117)
- 6 CCR SCS HCS HB 2279, as amended - Wright
- 7 CCR HCS SS SCS SB 711, as amended - Sutherland
- 8 HCS SCS SBs 930 & 947, as amended - St. Onge
- 9 HCS SCS SB 720, as amended - Smith (150)
- 10 HCS SB 1288, as amended - Cooper (120)

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCR 29, (4-24-08, Page 1163) - Wright
- 3 SCS SCR 39, (4-24-08, Pages 1165-1166) - Talboy



# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTY-THIRD DAY, THURSDAY, MAY 15, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Msgr. Donald W. Lammers.

*(On the morning after working very late, this verse from Psalm 28 is a good prayer.)*

"Yahweh is my strength, my shield,  
my heart puts its trust in him,  
I have been helped, my flesh has bloomed again,  
I thank him with all my heart."  
*(Psalm 28:7)*

O Lord, be our strength as we approach the end of this 2008 Session.  
Many topics remain before us; important decisions must be made.  
By Your grace may we discern what advances best the common good;  
What is necessary for those most in need;  
What justice demands;  
What truth requires.  
We thank You, Lord God, for Your presence and strength this day.  
To You be glory and honor forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Kaleena Logan, Dusty McCubbins, Marshal Meyer, Connor Balke, Jacob Hickman, John Schwartz, Dylana Fox, Miranda Goetz, Tanner Oelrichs, J.T. Wilshusen, Alexis Dieckmann, Harper Schroeder, Dalton Metzner, Drew Harms, Cameron Snell, Zachary Fox, Brandon Cooper and Meghan Pitts.

The Journal of the seventy-second day was approved as corrected by the following vote:

AYES: 124

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Harris 110	Hobbs	Hodges	Hoskins

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Hughes	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lembke	Liese	Lipke	Loehner	Marsh
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 014

Daus	Donnelly	George	Grill	Holsman
Kuessner	Lampe	LeVota	Lowe 44	Talboy
Vogt	Whorton	Witte	Zimmerman	

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 022

Avery	Bland	Brown 50	Cooper 120	Cooper 155
Corcoran	Harris 23	Haywood	Hubbard	Hunter
Johnson	Low 39	May	Meadows	Pollock
Rucker	Spreng	Walton	Wasson	Wildberger
Wright-Jones	Young			

VACANCIES: 002

## COMMITTEE REPORTS

### Committee on Fiscal Review, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS#2 SS SCS SB 718** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 778** (Fiscal Note), begs leave to report it has examined the same and recommends that it **Do Pass**.

**Special Committee on Immigration**, Chairman Nolte reporting:

Mr. Speaker: Your Special Committee on Immigration, to which was returned **HCS SS SCS SBs 858, 750, 751, 927, 1186, 1255, 1268 & 1269**, begs leave to report it has examined the same and recommends that the **House Committee Substitute No. 2 Do Pass**, and pursuant to Rule 25(21)(f) be referred to the Committee on Rules.

**THIRD READING OF SENATE BILLS**

**HCS#2 SB 976**, relating to judicial personnel and procedures, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Bill 976, Page 56, Section 217.831, Line 20, by inserting after all of said line, the following:

"233.155. 1. Whenever the inhabitants of any special road district already formed under sections 233.010 to 233.165 shall desire to extend the boundaries of such district to take in territory not included in the original district, and shall present a petition to the county commission of the county in which such district is located, or if the proposed district is to include portions of more than one county, then to the county commissions of each of such counties, signed by not less than thirty-five voters in the old district and not less than fifty percent of the voters in the territory proposed to be taken into said district, asking the county commission or commissions of such county or counties to submit the proposition of the proposed extension of such road district to a vote of the people of such proposed district for their adoption or rejection, the county commission of such county, or if the proposed district shall include parts of more than one county, the county commissions of all such counties, shall each make an order of record that the proposed extension of said road district under the provisions of this section, describing the same by its title and the date of its approval, and describing the boundaries of the district as proposed to be extended, be submitted to the voters of such proposed road district.

2. The question shall be submitted in substantially the following form:

Shall the special road district be extended?

3. If the territory of more than one county be included in said special road district, the county commission of each county in said district shall, as soon as the returns are in from said election, cause a certificate to be made out stating the number of votes cast for and against said proposition in said county, and cause such certificate to be filed with the county clerk of the county commission of every other county which shall form a part of said special road district. If it shall appear from the returns of said county and from said certificate that a majority of the votes cast upon the proposition in the whole proposed district be in favor of the extension of said road district, the county commission or county commissions in said proposed district shall declare the result of the vote thereon in said proposed district by an order of record, and shall make an order of record that the above specified road district laws shall extend to and be the law in such special road district, including the extension thereof, setting out the boundaries of said district as extended, the same to take effect and be in force from and after a day to be named in such order, said day to be not more than twenty days after said election.

4. If any territory added to any such original district be in any county outside of the county of such original district, each county outside of such original district may appoint one road commissioner to act with the commissioners appointed in the county of the original district. Such commissioners so appointed outside of the county of the original district shall serve for a term of three years from the date of such appointment, and until their successors shall be appointed and qualified. Such commissioners shall be voters of such added territory in such county of their appointment. Except as herein provided, such commissioners shall be governed by sections 233.010 to 233.165. No change shall be made in the number of commissioners appointed by the county of the original district or in the manner of their appointment. **In any special road district located in two counties with an additional fourth commissioner appointed by the county outside of the original district as provided in this subsection, a fifth commissioner may**

**be appointed by the same county that appointed the fourth commissioner. Except as herein provided, a fifth commissioner shall be governed by sections 233.010 to 233.165, shall serve for a term of three years from the date of the appointment and until the fifth commissioner's successor shall be appointed and qualified, and shall be a voter of the county of appointment.**

5. If a majority of the votes of the proposed district, as extended, be cast in favor of such extension, then the territory of such district, as extended, shall be governed by sections 233.010 to 233.165. But if such extension proposition shall not receive a majority of the votes of said district, as extended, then said special road district shall remain as it was before said petition was filed. Any special road district extended under the provisions of this section may be extended so that after such extension it shall not be more than seventeen miles square."; and

Further amend said bill, Page 56, Section 267.165, Lines 1-9, by deleting all of said lines from the bill; and

Further amend said bill, Pages 110-111, Section 452.305, Lines 1-23, by deleting all of said lines from the bill; and

Further amend said bill, Pages 111-114, Section 452.310, Lines 1-106, by deleting all of said lines from the bill; and

Further amend said bill, Page 176, Section 478.387, Line 3, by deleting the word "**six**" and inserting in lieu thereof the word "**four**"; and

Further amend said bill, Page 176, Section 478.387, Lines 4-6, by deleting all of said lines and inserting in lieu thereof the following:

**"Such reduction shall be the first four vacancies until the number of circuit judges is reduced by four.";** and

Further amend said bill, Page 176, Section 478.437, Line 5, by deleting the word "**two**" and inserting in lieu thereof the word "**one**"; and

Further amend said bill, Page 176, Section 478.437, Line 5, by deleting the word "**judges**" and inserting in lieu thereof the word "**judge**"; and

Further amend said bill, Page 176, Section 478.437, Line 6, by inserting after all of said line, the following:

**"Such additional associate circuit court judge shall sit in the county of Lincoln.";** and

Further amend said bill, Page 178, Section 478.750, Lines 5-6, by deleting all of said lines and inserting in lieu thereof, the following:

**"one circuit judge. Such reduction shall be in division 2 and shall take effect upon the vacancy or completion of the current term of such circuit judge occurring on or after the effective date of this section.";** and

Further amend said bill, Page 178, Section 478.755, Line 3, by inserting after all of said line, the following:

**"Such additional associate circuit court judge shall sit in the county of Lawrence.";** and

Further amend said bill, Page 178, Section 478.760, Line 3, by inserting after all of said line, the following:

**"Such additional associate circuit court judge shall sit in the county of Newton.";** and

Further amend said bill, Page 187, Section 514.040, Line 30, by inserting after all of said line, the following:

**"516.190. 1. Whenever a cause of action has been fully barred by the laws of the state, territory or country in which it originated, said bar shall be a complete defense to any action thereon, brought in any of the courts of this state.**

2. Notwithstanding any other provisions of law, and except for any judgment, order, or decree awarding child support or maintenance which mandates the making of payments over a period of time, whenever a judgment has been fully barred by the laws of the state, territory, or country in which it originated, such bar shall be a complete defense to any action to enforce or revive a judgment registered thereon in this state pursuant to section 511.760, RSMo, or any other statute, or to any action to enforce or revive any judgment obtained pursuant to an action to enforce that original judgment, and no execution, order, or process shall issue thereon, nor shall any suit be brought, had, or maintained thereon for any purpose whatsoever. Such bar shall be a complete defense to the enforcement of any lien resulting from any such judgment and shall cause said lien to expire and not be subject to revival."; and

Further amend said bill, Page 196, Section 575.070, Line 13, by inserting after all of said line, the following:

**"578.026. 1. A person performing a lawful seizure of any dog that is the subject of a violation of section 578.025, whether under the authority of a warrant or not, shall:**

**(1) Be given a disposition hearing within thirty days of the filing of the request for the purpose of granting immediate disposition of the dogs impounded;**

**(2) Place impounded dogs in the care or custody of a veterinarian, the appropriate animal control authority, or an animal shelter. If no appropriate veterinarian, animal control authority, or animal shelter is available, the dog shall not be impounded unless it is diseased or disabled beyond recovery for any useful purpose;**

**(3) Humanely kill any dog impounded if it is determined by a licensed veterinarian that the dog is diseased or disabled beyond recovery for any useful purpose;**

**(4) Not be liable for any necessary damage to property if the dog has been lawfully seized.**

**2. The owner or custodian or any person claiming an interest in any dog that has been impounded because of being the subject of a violation of section 578.025 may prevent disposition of the dog by posting bond or security in an amount sufficient to provide for the dog's care and keeping for at least thirty days, inclusive of the date on which the animal was taken into custody. Notwithstanding the fact that bond may be posted pursuant to this subsection, the authority having custody of the animal may humanely dispose of the dog at the end of the time for which expenses are covered by the bond or security, unless there is a court order prohibiting such disposition. Such order shall provide for a bond or other security in the amount necessary to protect the authority having custody of the dog from any cost of the care, keeping or disposal of the dog. The authority taking custody of a dog shall give notice of the provisions of this section by posting a copy of this section at the place where the dog was taken into custody or by delivering it to a person residing on the property.**

**3. The owner or custodian of any dog humanely killed pursuant to this section shall not be entitled to recover any damages related to, nor the actual value of, the dog if the dog was found by a licensed veterinarian to be diseased or disabled, or if the owner or custodian failed to post bond or security for the care, keeping and disposition of the dog after being notified of impoundment."; and**

Further amend said bill, Page 206, Section 640.013, Line 9, by inserting after all of said line, the following:

**"643.151. 1. It is unlawful for any person to cause or permit any air pollution by emission of any air contaminant from any air contaminant source located in Missouri, in violation of sections 643.010 to 643.190, or any rule promulgated by the commission.**

**2. No person who knows or should know of the existence of such rules may cause or permit any air pollution by emission of any air contaminant source located outside Missouri, and which emissions enter Missouri in excess of the emission control regulations applicable to the portion of Missouri where the air contaminant enters the state.**

**3. In the event the commission determines that any provision of sections 643.010 to 643.190, or the rules promulgated hereunder, permits issued, or any final order or determination made by the commission or the director is being violated, the commission may cause to have instituted a civil action in any court of competent jurisdiction for injunctive relief to prevent any further violation or for the assessment of a penalty not to exceed ten thousand dollars for each violation per day for each day, or part thereof, the violation continues to occur, or both, as the court may deem proper. A civil monetary penalty under this section shall not be assessed for a violation where an administrative penalty was assessed under section 643.085. The commission may request the attorney general or other counsel to bring such action in the name of the people of the state of Missouri. Process may be served in any manner provided by chapter 506, RSMo, including but not limited to sections 506.510 and 506.520, RSMo. Suit may be brought in any county where the defendant's principal place of business is located or where the air contaminant source is located or where the air contaminants enter the state of Missouri. Any offer of settlement to resolve a civil penalty under this section shall be**

in writing, shall state that an action for imposition of a civil penalty may be initiated by the attorney general or a prosecuting attorney representing the department under authority of this section, and shall identify any dollar amount as an offer of settlement which shall be negotiated in good faith through conference, conciliation and persuasion.

**4. Any concentrated animal feeding operation or recycling company that converts animal parts into petroleum that the commission or the director determines to be in persistent violation of the provisions of this section or any odor rule promulgated by the department shall forfeit any permits issued by the department under sections 640.700 to 640.755, RSMo, this chapter, or chapter 644, RSMo, until such time that the concentrated animal feeding operation or recycling company that converts animal parts into petroleum successfully reapplies for a new permit. For the purposes of this subsection, the term "persistent violation" shall mean any concentrated animal feeding operation or recycling company that converts animal parts into petroleum that has been found by the commission or the director to have violated the provisions of this section at least six times during any twelve-month period or at least twelve times during any thirty-six month period.**

**5. During any thirty-six month period, any concentrated animal feeding operation or recycling company that converts animal parts into petroleum that the commission or director has found to have violated the provisions of this section on more than one occasion shall be subject to a surcharge in addition to the civil penalties assessed under subsection 3 of this section. The surcharge shall be an amount equal to the sum of the penalty assessed under subsection 3 of this section for the current citation plus all the fines assessed against the violator during the thirty-six month period prior to the date the citation was issued.**

**6. The proceeds of any surcharge assessed under subsection 5 of this section shall be deposited into the "Air Pollution Enforcement Fund", which is hereby established and shall be administered by the department. One half of all moneys in the fund shall be utilized exclusively to enforce the provisions of this section and one half of all moneys in the fund shall be transferred at least annually to the state school moneys fund as established in section 166.051, RSMo, and distributed to the public schools of this state in the manner provided in section 163.031, RSMo.**

**7. Notwithstanding the provisions of section 33.080, RSMo, moneys in the air pollution enforcement fund shall not revert to general revenue. The state treasurer shall invest the moneys from the fund in the same manner as other state funds are invested. Interest accruing to the fund shall be deposited in the fund and shall not be transferred to general revenue.**

**8. Any member of the commission or employee thereof who is convicted of willful disclosure or conspiracy to disclose confidential information to any person other than one entitled to the information under sections 643.010 to 643.190 is guilty of a class A misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars.**

**[5.] 9. No liability shall be imposed upon persons violating the provisions of sections 643.010 to 643.190 or any rule hereunder due to any violation caused by an act of God, war, strike, riot or other catastrophe.**

644.076. 1. It is unlawful for any person to cause or permit any discharge of water contaminants from any water contaminant or point source located in Missouri in violation of sections 644.006 to 644.141, or any standard, rule or regulation promulgated by the commission. In the event the commission or the director determines that any provision of sections 644.006 to 644.141 or standard, rules, limitations or regulations promulgated pursuant thereto, or permits issued by, or any final abatement order, other order, or determination made by the commission or the director, or any filing requirement pursuant to sections 644.006 to 644.141 or any other provision which this state is required to enforce pursuant to any federal water pollution control act, is being, was, or is in imminent danger of being violated, the commission or director may cause to have instituted a civil action in any court of competent jurisdiction for the injunctive relief to prevent any such violation or further violation or for the assessment of a penalty not to exceed ten thousand dollars per day for each day, or part thereof, the violation occurred and continues to occur, or both, as the court deems proper. A civil monetary penalty pursuant to this section shall not be assessed for a violation where an administrative penalty was assessed pursuant to section 644.079. The commission, the chair of a watershed district's board of trustees created under section 249.1150, RSMo, or the director may request either the attorney general or a prosecuting attorney to bring any action authorized in this section in the name of the people of the state of Missouri. Suit may be brought in any county where the defendant's principal place of business is located or where the water contaminant or point source is located or was located at the time the violation occurred. Any offer of settlement to resolve a civil penalty pursuant to this section shall be in writing, shall state that an action for imposition of a civil penalty may be initiated by the attorney general or a prosecuting attorney representing the department pursuant to this section, and shall identify any dollar amount as an offer of settlement which shall be negotiated in good faith through conference, conciliation and persuasion.

2. Any concentrated animal feeding operation or recycling company that converts animal parts into petroleum that the commission or the director determines to be in persistent violation of the provisions of this section shall forfeit any permits issued by the department under sections 640.700 to 640.755, RSMo, chapter 643, RSMo, or chapter 644, until such time the concentrated animal feeding operation or recycling company that converts animal parts into petroleum successfully reapplies for a new permit. For the purposes of this subsection, the term "persistent violation" shall mean any concentrated animal feeding operation or recycling company that converts animal parts into petroleum that the commission or the director has found to have violated the provisions of this section at least six times during any twelve-month period or at least twelve times during any thirty-six month period.

3. During any thirty-six month period, any concentrated animal feeding operation or recycling company that converts animal parts into petroleum that the commission or director has found to have violated the provisions of this section on more than one occasion shall be subject to a surcharge in addition to the civil penalties assessed under subsection 1 of this section. The surcharge shall be an amount equal to the sum of the penalty assessed under subsection 1 of this section for the current citation plus all the fines assessed against the violator during the thirty-six month period prior to the date the citation was issued.

4. The proceeds of any surcharge assessed under subsection 3 of this section shall be deposited into the "Water Pollution Enforcement Fund", which is hereby established and shall be administered by the department. One half of all moneys in the fund shall be utilized exclusively to enforce the provisions of this section, and one half of all the moneys in the fund shall be transferred at least annually to the state school moneys fund as established in section 166.051, RSMo, and distributed to the public schools of this state in the manner provided in section 163.031, RSMo.

5. Notwithstanding the provisions of section 33.080, RSMo, moneys in the water pollution enforcement fund shall not revert to general revenue. The state treasurer shall invest the moneys from the fund in the same manner as other state funds are invested. Interest accruing to the fund shall be deposited in the fund and shall not be transferred to general revenue.

6. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to sections 644.006 to 644.141 or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained pursuant to sections 644.006 to 644.141 shall, upon conviction, be punished by a fine of not more than ten thousand dollars, or by imprisonment for not more than six months, or by both.

[3.] 7. Any person who willfully or negligently commits any violation set forth pursuant to subsection 1 of this section shall, upon conviction, be punished by a fine of not less than two thousand five hundred dollars nor more than twenty-five thousand dollars per day of violation, or by imprisonment for not more than one year, or both. Second and successive convictions for violation of the same provision of this section by any person shall be punished by a fine of not more than fifty thousand dollars per day of violation, or by imprisonment for not more than two years, or both.

[4.] 8. The liabilities which shall be imposed pursuant to any provision of sections 644.006 to 644.141 upon persons violating the provisions of sections 644.006 to 644.141 or any standard, rule, limitation, or regulation adopted pursuant thereto shall not be imposed due to any violation caused by an act of God, war, strike, riot, or other catastrophe."; and

Further amend said bill, Page 210, Section 6, Lines 4-8, by deleting all of said lines and inserting in lieu thereof the following:

"(2) "Health carrier", the same meaning as such term is defined in section 376.1350, RSMo; except when such health care services are provided, delivered, arranged for, paid for, or reimbursed by the MO HealthNet division within the department of social services or the department of mental health;

(3) "Pharmacy benefit manager" or "PBM", a person or entity other than a pharmacy or pharmacist acting as an administrator in connection with pharmacy benefits; except when such pharmacy services are provided, delivered, arranged for, paid for, or reimbursed by the MO HealthNet division within the department of social services or the department of mental health;"; and

Further amend said bill, Page 213, Section 8, Line 23, by inserting after all of said line, the following:

"Section 9. Notwithstanding any other provision of law, any electrical corporation as defined by subdivision 15 of section 386.020, RSMo, which, by January 20, 2009, achieves an amount of eligible renewable energy technology nameplate capacity equal to or greater than fifteen percent of such corporation's total owned

**fossil-fired generating capacity, shall be exempt thereafter from a requirement to pay any subsidy, fee, or rebate to its customers that install their own solar electric energy system and shall be exempt from meeting any non-federal mandated renewable energy standard requirements. Any disputes or denial of exemptions under this section shall be reviewable by the circuit court of Cole County as prescribed by law."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Burnett offered **House Amendment No. 1 to House Amendment No. 1.**

*House Amendment No. 1  
to  
House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute No. 2 for Senate Bill No. 976, Page 58, Line 1, by inserting after all of said line the following:

'Further amend said bill, Sections 290.505 and 290.531, Pages 57 through 58, by removing all of said sections from the bill"; and '; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Burnett, **House Amendment No. 1 to House Amendment No. 1** was adopted.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 058

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hughes	Komo	Kratky	Kuessner



Lampe	LeVota	Liese	Low 39	McClanahan
Meiners	Nasheed	Norr	Oxford	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Bland	Cooper 120	Corcoran	Dougherty
Harris 23	Hubbard	Hunter	Johnson	Lowe 44
Meadows	Nolte	Onder	Page	Robinson
Spreng	Viebrock	Walton		

VACANCIES: 002

On motion of Representative Stevenson, **House Amendment No. 1, as amended**, was adopted.

Representative Richard offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Page 213, Section 8, Line 23, by inserting after all of said line, the following:

**"Section 9. 1. The governor is hereby authorized and empowered to sell, transfer, grant, convey, remise, release, and forever quitclaim all interest of the state of Missouri in real property known as the Joplin Regional Center, located in Jasper County, Joplin Missouri. The property to be conveyed is more particularly described as follows:**

**A tract of land lying in the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section 31, Township 28, Range 32, Jasper County, Missouri, and described by the following metes and bounds: beginning at the Southwest corner of the above described Southwest Quarter (1/4) of the Southeast (1/4) of Section 31; thence North along the West line thereof 670.0 Feet; thence East with an angle of 90 degrees with the said West line 450.0 Feet to a point; thence South parallel to said West line 140.0 Feet; thence South 56 degrees East for a distance of 415.0 Feet to a point; thence South 290.0 Feet to the South line of said Southwest Quarter (1/4) of the Southeast Quarter (1/4); thence West along said South line 800.0 Feet to point of beginning, containing ten and two-tenths (10.2) acres, more or less, except a strip of land fifty feet wide East and West off of the West side thereof, the same being reserved for road purposes.**

**2. The conveyance of the property described in this section shall not occur until the Joplin Regional Center is relocated from the property described in this section to different property.**

**3. The commissioner of administration shall set the terms and conditions for the conveyance as the commissioner deems reasonable. Such terms and conditions may include, but are not limited to, the time, place, and terms of the conveyance.**

**4. The attorney general shall approve the form of the instrument of conveyance."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Silvey offered **House Amendment No. 1 to House Amendment No. 2.**

*House Amendment No. 1*  
*to*  
*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute No. 2 for Senate Bill No. 976, Page 1, Line 5, by inserting after the word "**Missouri**" the following "**for no less than three hundred thousand dollars**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Silvey, **House Amendment No. 1 to House Amendment No. 2** was adopted.

On motion of Representative Richard, **House Amendment No. 2, as amended**, was adopted.

Representative Emery offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Section 566.226, Page 195, Line 15, by inserting after all of said section the following:

**"573.525. 1. It is the purpose of sections 573.525 to 573.537 to regulate sexually oriented businesses in order to promote the health, safety, and general welfare of the citizens of this state, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of sexually oriented businesses within the state. The provisions of sections 573.525 to 573.537 have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of sections 573.525 to 573.537 to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of sections 573.525 to 573.537 to condone or legitimize the distribution of obscene material.**

**2. The general assembly finds that:**

**(1) Sexually oriented businesses, as a category of commercial enterprises, are associated with a wide variety of adverse secondary effects, including but not limited to personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation;**

**(2) Sexually oriented businesses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other sexually oriented businesses, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of sexually oriented businesses in one area;**

**(3) Each of the foregoing negative secondary effects constitutes a harm which the state has a substantial interest in preventing and/or abating. Such substantial government interest in preventing secondary effects, which is the state's rationale for sections 573.525 to 573.537, exists independent of any comparative analysis between sexually oriented and nonsexually oriented businesses. Additionally, the state's interest in regulating sexually oriented businesses extends to preventing future secondary effects of current or future sexually oriented businesses that may locate in the state.**

**573.528. For purposes of sections 573.525 to 573.537, the following terms shall mean:**

**(1) "Adult bookstore" or "adult video store", a commercial establishment which, as one of its principal business activities, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas. A "principal business activity" exists where the commercial establishment:**

**(a) Has a substantial portion of its displayed merchandise which consists of such items; or**

(b) Has a substantial portion of the wholesale value of its displayed merchandise which consists of such items; or

(c) Has a substantial portion of the retail value of its displayed merchandise which consists of such items; or

(d) Derives a substantial portion of its revenues from the sale or rental, for any form of consideration of such items; or

(e) Maintains a substantial section of its interior business space for the sale or rental of such items; or

(f) Maintains an adult arcade. "Adult arcade" means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are characterized by their emphasis upon matter exhibiting specified sexual activities or specified anatomical areas;

(2) "Adult cabaret", a nightclub, bar, juice bar, restaurant, bottle club, or other commercial establishment, regardless of whether alcoholic beverages are served, which regularly features persons who appear semi-nude;

(3) "Adult motion picture theater", a commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas are regularly shown to more than five persons for any form of consideration;

(4) "Characterized by", describing the essential character or dominant theme of an item. As applied in sections 573.525 to 573.537, no business shall be classified as a sexually oriented business by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America;

(5) "Employ", "employee" or "employment", describe and pertain to any person who performs any service on the premises of a sexually oriented business, on a full-time, part-time, or contract basis, whether or not the person is denominated an employee, independent contractor, agent, or otherwise. Employee does not include a person exclusively on the premises for repair or maintenance of the premises or for the delivery of goods to the premises;

(6) "Establish" or "establishment", any of the following:

(a) The opening or commencement of any sexually oriented business as a new business;

(b) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business; or

(c) The addition of any sexually oriented business to any other existing sexually oriented business;

(7) "Influential interest", any of the following:

(a) The actual power to operate the sexually oriented business or control the operation, management, or policies of the sexually oriented business or legal entity which operates the sexually oriented business;

(b) Ownership of a financial interest of thirty percent or more of a business or of any class of voting securities of a business; or

(c) Holding an office, such as president, vice president, secretary, treasurer, managing member, or managing director, in a legal entity which operates the sexually oriented business;

(8) "Nudity" or "state of nudity", the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple or areola;

(9) "Operator", any person on the premises of a sexually oriented business who causes the business to function or who puts or keeps in operation the business or who is authorized to manage the business or exercise overall operational control of the business premises. A person may be found to be operating or causing to be operated a sexually oriented business whether or not such person is an owner, part owner, or licensee of the business;

(10) "Premises", the real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including but not limited to the sexually oriented business, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the licensee, as described in the application for a sexually oriented business license;

(11) "Regularly", the consistent and repeated doing of the act so described;

(12) "Semi-nude" or "state of semi-nudity", the showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at such point, or the showing of the male or female buttocks. Such definition includes the lower portion of the human female breast, but shall not include

any portion of the cleavage of the human female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part;

(13) "Semi-nude model studio", a place where persons regularly appear in a state of semi-nudity for money or any form of consideration in order to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. Such definition does not apply to any place where persons appearing in a state of semi-nudity did so in a modeling class operated:

- (a) By a college, junior college, or university supported entirely or partly by taxation;
- (b) By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
- (c) In a structure:
  - a. Which has no sign visible from the exterior of the structure and no other advertising that indicates a semi-nude person is available for viewing; and
  - b. Where, in order to participate in a class, a student must enroll at least three days in advance of the class;

(14) "Sexual encounter center", a business or commercial enterprise that, as one of its principal purposes, purports to offer for any form of consideration, physical contact in the form of wrestling or tumbling between persons of the opposite sex when one or more of the persons is semi-nude;

(15) "Sexually oriented business", an adult bookstore or adult video store, an adult cabaret, an adult motion picture theater, a semi-nude model studio, or a sexual encounter center;

(16) "Specified anatomical areas":

- (a) Less than completely and opaquely covered: human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
- (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered;

(17) "Specified criminal act", any of the following specified offenses for which less than eight years has elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is later:

- (a) Rape and sexual assault offenses;
- (b) Sexual offenses involving minors;
- (c) Offenses involving prostitution;
- (d) Obscenity offenses;
- (e) Offenses involving money laundering;
- (f) Offenses involving tax evasion;
- (g) Any attempt, solicitation, or conspiracy to commit one of the offenses listed in paragraphs (a) to (f) of this subdivision; or
- (h) Any offense committed in another jurisdiction which if committed in this state would have constituted an offense listed in paragraphs (a) to (g) of this subdivision;

(18) "Specified sexual activity", any of the following:

- (a) Intercourse, oral copulation, masturbation, or sodomy; or
- (b) Excretory functions as a part of or in connection with any of the activities describe in paragraph (a) of this subdivision;

(19) "Substantial", at least thirty percent of the item or items so modified;

(20) "Viewing room", the room, booth, or area where a patron of a sexually oriented business would ordinarily be positioned while watching a film, video cassette, digital video disc, or other video reproduction.

**573.531. 1.** No person shall establish a sexually oriented business within one thousand feet of any preexisting primary or secondary school, house of worship, state-licensed day care facility, public library, public park, residence, or other sexually oriented business. This subsection shall not apply to any sexually oriented business lawfully established prior to the effective date of sections 573.525 to 573.537. For purposes of this subsection, measurements shall be made in a straight line, without regard to intervening structures or objects, from the closest portion of the parcel containing the sexually oriented business to the closest portion of the parcel containing the preexisting primary or secondary school, house of worship, state-licensed day care facility, public library, public park, residence, or other sexually oriented business.

**2.** No person shall establish a sexually oriented business if a person with an influential interest in the sexually oriented business has been convicted of or pled guilty or nolo contendere to a specified criminal act.

**3.** No person shall knowingly or intentionally, in a sexually oriented business, appear in a state of nudity.

4. No employee shall knowingly or intentionally, in a sexually oriented business, appear in a semi-nude condition unless the employee, while semi-nude, shall be and remain on a fixed stage at least six feet from all patrons and at least eighteen inches from the floor in a room of at least six hundred square feet.

5. No employee who appears in a semi-nude condition in a sexually oriented business shall knowingly or intentionally touch a patron or the clothing of a patron in a sexually oriented business.

6. A sexually oriented business which exhibits on the premises, through any mechanical or electronic image-producing device, a film, video cassette, digital video disc, or other video reproduction characterized by an emphasis on the display of specified sexual activities or specified anatomical areas shall comply with the following requirements:

(1) The interior of the premises shall be configured in such a manner that there is an unobstructed view from an operator's station of every area of the premises, including the interior of each viewing room but excluding restrooms, to which any patron is permitted access for any purpose;

(2) An operator's station shall not exceed thirty-two square feet of floor area;

(3) If the premises has two or more operator's stations designated, the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one of the operator's stations;

(4) The view required under this subsection shall be by direct line of sight from the operator's station;

(5) It is the duty of the operator to ensure that at least one employee is on duty and situated in an operator's station at all times that any patron is on the portion of the premises monitored by such operator station; and

(6) It shall be the duty of the operator and of any employees present on the premises to ensure that the view area specified in this subsection remains unobstructed by any doors, curtains, walls, merchandise, display racks, or other materials or enclosures at all times that any patron is present on the premises.

7. Sexually oriented businesses that do not have stages or interior configurations which meet at least the minimum requirements of sections 573.525 to 573.537 shall be given one hundred eighty days after the effective date of sections 573.525 to 573.537 to comply with the stage and building requirements of sections 573.525 to 573.537. During such one-hundred-eighty-day period, any employee who appears within view of any patron in a semi-nude condition shall remain, while semi-nude, at least six feet from all patrons.

8. No operator shall allow or permit a sexually oriented business to be or remain open between the hours of 12:00 midnight and 6:00 a.m. on any day.

9. No person shall knowingly or intentionally sell, use, or consume alcoholic beverages on the premises of a sexually oriented business.

10. No person shall knowingly allow a person under the age of eighteen years on the premises of a sexually oriented business.

573.534. Sections 573.525 to 573.537 do not impose strict liability. Unless a culpable mental state is otherwise specified herein, a showing of a knowing or reckless mental state is necessary to establish a violation of sections 573.525 to 573.537. Notwithstanding any other provision of law to the contrary, for purposes of sections 573.525 to 573.537, an act by an employee shall be imputed to the sexually oriented business for purposes of finding a violation of sections 573.525 to 573.537 only if an officer, director, or general partner, or a person who managed, supervised, or controlled the operation of the business premises knowingly or recklessly allowed such act to occur on the premises. It shall be a defense to liability that the person to whom liability is imputed was powerless to prevent the act.

573.537. 1. Any person, business, or entity violating or refusing to comply with any provision of sections 573.525 to 573.537 shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by imposition of a fine not to exceed five hundred dollars or by imprisonment for a period not to exceed ninety days, or both. Each day that a violation is permitted to exist or occur, and each separate occurrence shall constitute a separate offense.

2. Any premises, building, dwelling, or other structure in which a sexually oriented business is repeatedly operated or maintained in violation of sections 573.525 to 573.537 shall constitute a public nuisance and shall be subject to civil abatement proceedings initiated by the state in a court of competent jurisdiction. Each day that a violation is permitted to exist or occur shall constitute a separate operation or maintenance of the violation.

3. Notwithstanding the provisions of this section, the state may employ any remedy available at law or in equity to prevent or remedy a violation of any provision of sections 573.525 to 573.537.

**573.540. Nothing in sections 573.525 to 573.537 shall preempt or prevent any political subdivision in this state from maintaining, enacting, or enforcing any local ordinance, rule, regulation, resolution, or similar law concerning the regulation of sexually oriented businesses or similar adult oriented businesses.”; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	El-Amin	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Baker 123	Casey	Corcoran	Dougherty
Hobbs	Hubbard	Johnson	Meadows	Nasheed
Robinson	Spreng	Walton	Wildberger	

VACANCIES: 002

On motion of Representative Emery, **House Amendment No. 3** was adopted by the following vote:

AYES: 136

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Darrough	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 008

Daus	Hughes	Low 39	Lowe 44	Talboy
Villa	Vogt	Young		

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker 123	Burnett	Casey	Corcoran	Curls
El-Amin	Hobbs	Hubbard	Hunter	Johnson
Meadows	Nasheed	Robinson	Rucker	Spreng
Walton	Wildberger			

VACANCIES: 002

Representative Pratt offered **House Amendment No. 4.**

*House Amendment No. 4*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Page 194, Section 559.115, Line 69, by inserting after all of said line, the following:

"565.005. 1. At a reasonable time before the commencement of the first stage of any trial of murder in the first degree, **forcible rape of a child under the age of twelve, or forcible sodomy of a child under the age of twelve**, at which the death penalty is not waived, the state and defendant, upon request and without order of the court, shall serve counsel of the opposing party with:

(1) A list of all aggravating or mitigating circumstances as provided in [subsection 1 of] section 565.032 **for murder in the first degree or section 565.415 for forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve**, which the party intends to prove at the second stage of the trial;

(2) The names of all persons whom the party intends to call as witnesses at the second stage of the trial;

(3) Copies or locations and custodian of any books, papers, documents, photographs or objects which the party intends to offer at the second stage of the trial. If copies of such materials are not supplied to opposing counsel, the party shall cause them to be made available for inspection and copying without order of the court.

2. The disclosures required in subsection 1 of this section are supplemental to those required by rules of the supreme court relating to a continuing duty to disclose information, the use of matters disclosed, matters not subject to disclosure, protective orders, and sanctions for failure to comply with an applicable discovery rule or order, all of which shall also apply to any disclosure required by this section.

565.006. 1. At any time before the commencement of the trial of a homicide [offense], **forcible rape of a child under the age of twelve, or forcible sodomy of a child under the age of twelve**, the defendant may, with the assent of the court, waive a trial by jury and agree to submit all issues in the case to the court, whose finding shall have the force and effect of a verdict of a jury. Such a waiver must include a waiver of a trial by jury of all issues and offenses charged in the case, including the punishment to be assessed and imposed if the defendant is found guilty.

2. No defendant who pleads guilty to a homicide [offense], **forcible rape of a child under the age of twelve, or forcible sodomy of a child under the age of twelve**, or who is found guilty of a homicide [offense], **forcible rape of a child under the age of twelve, or forcible sodomy of a child under the age of twelve** after trial to the court without a jury shall be permitted a trial by jury on the issue of the punishment to be imposed, except by agreement of the state.

3. If a defendant is found guilty of murder in the first degree, **forcible rape of a child under the age of twelve, or forcible sodomy of a child under the age of twelve** after a jury trial in which the state has not waived the death penalty, the defendant may not waive a jury trial of the issue of the punishment to be imposed, except by agreement with the state and the court.

4. Any waiver of a jury trial and agreement permitted by this section shall be entered in the court record.

565.035. 1. Whenever the death penalty is imposed in any case, and upon the judgment becoming final in the trial court, the sentence shall be reviewed on the record by the supreme court of Missouri. The circuit clerk of the court trying the case, within ten days after receiving the transcript, shall transmit the entire record and transcript to the supreme court together with a notice prepared by the circuit clerk and a report prepared by the trial judge. The notice shall set forth the title and docket number of the case, the name of the defendant and the name and address of his attorney, a narrative statement of the judgment, the offense, and the punishment prescribed. The report by the judge shall be in the form of a standard questionnaire prepared and supplied by the supreme court of Missouri.

2. The supreme court of Missouri shall consider the punishment as well as any errors enumerated by way of appeal.

3. With regard to the sentence, the supreme court shall determine:

(1) Whether the sentence of death was imposed under the influence of passion, prejudice, or any other arbitrary factor; and

(2) Whether the evidence supports the jury's or judge's finding of a statutory aggravating circumstance as enumerated in subsection 2 of section 565.032 **or subsection 2 of section 565.435** and any other circumstance found;

(3) Whether the sentence of death is excessive or disproportionate to the penalty imposed in similar cases, considering both the crime, the strength of the evidence and the defendant.

4. Both the defendant and the state shall have the right to submit briefs within the time provided by the supreme court, and to present oral argument to the supreme court.



5. The supreme court shall include in its decision a reference to those similar cases which it took into consideration. In addition to its authority regarding correction of errors, the supreme court, with regard to review of death sentences, shall be authorized to:

- (1) Affirm the sentence of death; or
- (2) Set the sentence aside and resentence the defendant to life imprisonment without eligibility for probation, parole, or release except by act of the governor; or
- (3) Set the sentence aside and remand the case for retrial of the punishment hearing. A new jury shall be selected or a jury may be waived by agreement of both parties and then the punishment trial shall proceed in accordance with this chapter, with the exception that the evidence of the guilty verdict shall be admissible in the new trial together with the official transcript of any testimony and evidence properly admitted in each stage of the original trial where relevant to determine punishment.

6. There shall be an assistant to the supreme court, who shall be an attorney appointed by the supreme court and who shall serve at the pleasure of the court. The court shall accumulate the records of all cases in which the sentence of death or life imprisonment without probation or parole was imposed after May 26, 1977, or such earlier date as the court may deem appropriate. The assistant shall provide the court with whatever extracted information the court desires with respect thereto, including but not limited to a synopsis or brief of the facts in the record concerning the crime and the defendant. The court shall be authorized to employ an appropriate staff, within the limits of appropriations made for that purpose, and such methods to compile such data as are deemed by the supreme court to be appropriate and relevant to the statutory questions concerning the validity of the sentence. The office of the assistant to the supreme court shall be attached to the office of the clerk of the supreme court for administrative purposes.

7. In addition to the mandatory sentence review, there shall be a right of direct appeal of the conviction to the supreme court of Missouri. This right of appeal may be waived by the defendant. If an appeal is taken, the appeal and the sentence review shall be consolidated for consideration. The court shall render its decision on legal errors enumerated, the factual substantiation of the verdict, and the validity of the sentence.

565.040. 1. In the event that the death penalty provided in this chapter is held to be unconstitutional, any person convicted of murder in the first degree, **forcible rape of a child under the age of twelve, or forcible sodomy of a child under the age of twelve** shall be sentenced by the court to life imprisonment without eligibility for probation, parole, or release except by act of the governor, with the exception that when a specific aggravating circumstance found in a case is held to be unconstitutional or invalid for another reason, the supreme court of Missouri is further authorized to remand the case for resentencing or retrial of the punishment pursuant to subsection 5 of section 565.036.

2. In the event that any death sentence imposed pursuant to this chapter is held to be unconstitutional, the trial court which previously sentenced the defendant to death shall cause the defendant to be brought before the court and shall sentence the defendant to life imprisonment without eligibility for probation, parole, or release except by act of the governor, with the exception that when a specific aggravating circumstance found in a case is held to be inapplicable, unconstitutional or invalid for another reason, the supreme court of Missouri is further authorized to remand the case for retrial of the punishment pursuant to subsection 5 of section 565.035."; and

Further amend said bill, Page 195, Section 565.084, Line 20, by inserting after all of said line, the following:

**"565.425. 1. Except as provided in subsections 2, 3, and 4 of this section, no forcible rape of a child under the age of twelve offense may be tried together with any offense other than forcible rape of a child under the age of twelve and no forcible sodomy of a child under the age of twelve offense may be tried together with any offense other than forcible sodomy of a child under the age of twelve. In the event of a joinder of forcible rape of a child under the age of twelve offenses or forcible sodomy of a child under the age of twelve offenses, all offenses charged which are supported by the evidence in the case shall, when requested by one of the parties or the court, be submitted to the jury or, in a jury-waived trial, considered by the judge.**

**2. A count charging any offense of forcible rape of a child under the age of twelve of a particular individual may be joined in an indictment or information and tried with one or more counts charging alternatively any other forcible rape of a child under the age of twelve or offense other than forcible rape of a child under the age of twelve committed against that individual. A count charging any offense of forcible sodomy of a child under the age of twelve of a particular individual may be joined in an indictment or information and tried with one or more counts charging alternatively any other forcible sodomy of a child under the age of twelve or offense other than forcible sodomy of a child under the age of twelve committed against that individual. The state shall not be required to make an election as to the alternative count on which it will proceed. This subsection in no way limits the right to try in the conjunctive, where they are properly joined under subsection 1 of this section, either:**

(1) Separate offenses other than forcible rape of a child under the age of twelve or separate offenses of forcible rape of a child under the age of twelve committed against different individuals;

(2) Separate offenses other than forcible sodomy of a child under the age of twelve or separate offenses of forcible sodomy of a child under the age of twelve committed against different individuals.

3. (1) When a defendant has been charged and proven before trial to be a prior offender pursuant to chapter 558, RSMo, so that the judge shall assess punishment and not a jury for an offense other than forcible rape of a child under the age of twelve, that offense may be tried and submitted to the trier together with any forcible rape of a child under the age of twelve charge with which it is lawfully joined. In such case the judge shall assess punishment on any offense joined with a forcible rape of a child under the age of twelve charge according to law and, when the trier is a jury, it shall be instructed upon punishment on the charge of forcible rape of a child under the age of twelve in accordance with section 565.430.

(2) When a defendant has been charged and proven before trial to be a prior offender pursuant to chapter 558, RSMo, so that the judge shall assess punishment and not a jury for an offense other than forcible sodomy of a child under the age of twelve, that offense may be tried and submitted to the trier together with any forcible sodomy of a child under the age of twelve charge with which it is lawfully joined. In such case the judge shall assess punishment on any offense joined with a forcible sodomy of a child under the age of twelve charge according to law and, when the trier is a jury, it shall be instructed upon punishment on the charge of forcible sodomy of a child under the age of twelve in accordance with section 565.430.

4. When the state waives the death penalty for a forcible rape of a child under the age of twelve offense or forcible sodomy of a child under the age of twelve offense, that offense may be tried and submitted to the trier together with any other charge with which it is lawfully joined.

565.430. 1. Where forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve is charged but not submitted or where the state waives the death penalty, the submission to the trier and all subsequent proceedings in the case shall proceed as in all other criminal cases with a single stage trial in which guilt and punishment are submitted together.

2. Where forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve is submitted to the trier without a waiver of the death penalty, the trial shall proceed in two stages before the same trier. At the first stage, the trier shall decide only whether the defendant is guilty or not guilty of any submitted offense. The issue of punishment shall not be submitted to the trier at the first stage. If an offense is charged other than forcible rape of a child under the age of twelve in a count together with a count of forcible rape of a child under the age of twelve, the trial judge shall assess punishment on any such offense according to law, after the defendant is found guilty of such offense and after he finds the defendant to be a prior offender pursuant to chapter 558, RSMo. If an offense is charged other than forcible sodomy of a child under the age of twelve in a count together with a count of forcible sodomy of a child under the age of twelve, the trial judge shall assess punishment on any such offense according to law, after the defendant is found guilty of such offense and after he finds the defendant to be a prior offender pursuant to chapter 558, RSMo.

3. If the trier at the first stage of a trial where the death penalty was not waived finds the defendant guilty of forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve, a second stage of the trial shall proceed at which the only issue shall be the punishment to be assessed and declared. Evidence in aggravation and mitigation of punishment, including but not limited to evidence supporting any of the aggravating or mitigating circumstances listed in subsection 2 or 3 of section 565.435, may be presented subject to the rules of evidence at criminal trials. Such evidence may include, within the discretion of the court, evidence concerning the victim and the impact of the crime upon the family of the victim and others. Rebuttal and surrebuttal evidence may be presented. The state shall be the first to proceed. If the trier is a jury, it shall be instructed on the law. The attorneys may then argue the issue of punishment to the jury, and the state shall have the right to open and close the argument. The trier shall assess and declare the punishment at life imprisonment without eligibility for probation, parole, or release except by act of the governor:

(1) If the trier finds by a preponderance of the evidence that the defendant is mentally retarded; or

(2) If the trier does not find beyond a reasonable doubt at least one of the aggravating circumstances set out in subsection 2 of section 565.435; or

(3) If the trier concludes that there is evidence in mitigation of punishment, including but not limited to evidence supporting the mitigating circumstances listed in subsection 3 of section 565.435, which is sufficient to outweigh the evidence in aggravation of punishment found by the trier; or

(4) If the trier decides under all of the circumstances not to assess and declare the punishment at death. If the trier is a jury it shall be so instructed.

If the trier assesses and declares the punishment at death it shall, in its findings or verdict, set out in writing the aggravating circumstance or circumstances listed in subsection 2 of section 565.435 which it found beyond a reasonable doubt. If the trier is a jury, it shall be instructed before the case is submitted that if it is unable to decide or agree upon the punishment the court shall assess and declare the punishment at life imprisonment without eligibility for probation, parole, or release except by act of the governor or death. The court shall follow the same procedure as set out in this section whenever it is required to determine punishment for forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve.

4. Upon written agreement of the parties and with leave of the court, the issue of the defendant's mental retardation may be taken up by the court and decided prior to trial without prejudicing the defendant's right to have the issue submitted to the trier of fact as provided in subsection 3 of this section.

5. As used in this section, the terms "mental retardation" or "mentally retarded" refer to a condition involving substantial limitations in general functioning characterized by significantly subaverage intellectual functioning with continual extensive related deficits and limitations in two or more adaptive behaviors such as communication, self-care, home living, social skills, community use, self-direction, health and safety, functional academics, leisure and work, which conditions are manifested and documented before eighteen years of age.

6. The provisions of this section shall only govern offenses committed on or after August 28, 2008.

565.435. 1. In all cases of forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve for which the death penalty is authorized, the judge in a jury-waived trial shall consider, or he or she shall include in his or her instructions to the jury for it to consider:

(1) Whether an aggravating circumstance or circumstances enumerated in subsection 2 of this section is established by the evidence beyond a reasonable doubt; and

(2) If an aggravating circumstance or circumstances is proven beyond a reasonable doubt, whether the evidence as a whole justifies a sentence of death or a sentence of life imprisonment without eligibility for probation, parole, or release except by act of the governor. In determining the issues enumerated in this subdivision and subdivision (1) of this subsection, the trier shall consider all evidence which it finds to be in aggravation or mitigation of punishment, including evidence received during the first stage of the trial and evidence supporting any of the aggravating or mitigating circumstances set out in subsections 2 and 3 of this section. If the trier is a jury, it shall not be instructed upon any specific evidence which may be in aggravation or mitigation of punishment, but shall be instructed that each juror shall consider any evidence which he or she considers to be aggravating or mitigating.

2. Aggravating circumstances for a forcible rape of a child under the age of twelve offense or forcible sodomy of a child under the age of twelve offense shall be limited to the following:

(1) The offense was committed by a person with a prior record of pleading to or being found guilty of forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve, or the offense was committed by a person who has pleaded guilty to or been found guilty of one or more serious assaultive criminal offenses;

(2) The offense was committed while the offender was engaged in the commission or attempted commission of another unlawful rape or sodomy;

(3) The offender by his act of forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve knowingly created a great risk of death to more than one person by means of a weapon or device which would normally be hazardous to the lives of more than one person;

(4) The offender committed the offense for himself or another, for the purpose of receiving money or any other thing of monetary value from the victim of the forcible rape or forcible sodomy or another;

(5) The offender caused or directed another to commit forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve or committed forcible rape of a child under the age of twelve or forcible sodomy of a child under the age of twelve as an agent or employee of another person;

(6) The raped or sodomized individual was a witness or potential witness in any past or pending investigation or past or pending prosecution, and was raped or sodomized as a result of his or her status as a witness or potential witness;

(7) The offense was committed during the commission of a crime which is part of a pattern of criminal street gang activity as defined in section 578.421, RSMo;

(8) The offense was committed outrageously, wantonly vile, horribly, or inhumanely in that it involved torture or depravity of mind;

(9) The offense was committed by a person in, or who escaped from, the lawful custody of a peace officer or place of lawful confinement;

(10) The offense was committed while the defendant was engaged in the perpetration or was aiding or encouraging another person to perpetrate or attempt to perpetrate a felony of any degree of homicide, burglary, robbery, kidnapping or any felony offense under chapter 195, RSMo.

3. Mitigating circumstances shall include the following:

- (1) The defendant has no significant history of prior criminal activity;
- (2) The offense was committed while the defendant was under the influence of extreme mental or emotional disturbance;
- (3) The capacity of the defendant to appreciate the criminality of his or her conduct or to conform his or her conduct to the requirements of law was substantially impaired;
- (4) The age of the defendant at the time of the crime;
- (5) The defendant acted under the substantial domination of another person.

566.030. 1. A person commits the crime of forcible rape if such person has sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. Forcible rape or an attempt to commit forcible rape is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than fifteen years; or

(2) The victim is a child less than twelve years of age, in which case [the required term of imprisonment is life imprisonment without eligibility for probation or parole until the defendant has served not less than thirty years of such sentence or unless the defendant has reached the age of seventy-five years and has served at least fifteen years of such sentence. Subsection 4 of section 558.019, RSMo, shall not apply to the sentence of a person who has pleaded guilty to or has been found guilty of forcible rape when the victim is under the age of twelve, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section], **the punishment shall be either death or life imprisonment without eligibility for probation, parole, or release except by act of the governor; except that, if a person has not reached his or her eighteenth birthday at the time of the commission of the crime, the punishment shall be life imprisonment without eligibility for probation, parole, or release except by an act of the governor.**

3. No person found guilty of or pleading guilty to forcible rape or an attempt to commit forcible rape shall be granted a suspended imposition of sentence or suspended execution of sentence.

566.060. 1. A person commits the crime of forcible sodomy if such person has deviate sexual intercourse with another person by the use of forcible compulsion. Forcible compulsion includes the use of a substance administered without a victim's knowledge or consent which renders the victim physically or mentally impaired so as to be incapable of making an informed consent to sexual intercourse.

2. Forcible sodomy or an attempt to commit forcible sodomy is a felony for which the authorized term of imprisonment is life imprisonment or a term of years not less than five years, unless:

(1) In the course thereof the actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual intercourse or deviate sexual intercourse with more than one person, in which case the authorized term of imprisonment is life imprisonment or a term of years not less than ten years; or

(2) The victim is a child less than twelve years of age, in which case [the required term of imprisonment is life imprisonment without eligibility for probation or parole until the defendant has served not less than thirty years of such sentence or unless the defendant has reached the age of seventy-five years and has served at least fifteen years of such sentence. Subsection 4 of section 558.019, RSMo, shall not apply to the sentence of a person who has pleaded guilty to or has been found guilty of forcible sodomy when the victim is under the age of twelve, and "life imprisonment" shall mean imprisonment for the duration of a person's natural life for the purposes of this section], **the punishment shall be either death or life imprisonment without eligibility for probation, parole, or release except by act of the governor; except that, if a person has not reached his or her eighteenth birthday at the time of the commission of the crime, the punishment shall be life imprisonment without eligibility for probation, parole, or release except by an act of the governor.**

3. No person found guilty of or pleading guilty to forcible sodomy or an attempt to commit forcible sodomy shall be granted a suspended imposition of sentence or suspended execution of sentence."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	Cooper 120	Corcoran	El-Amin	Haywood
Hubbard	Hunter	Johnson	Meadows	Nasheed
Robinson	Spreng	Viebrock	Walton	

VACANCIES: 002

On motion of Representative Pratt, **House Amendment No. 4** was adopted.

Representative Ruestman offered **House Amendment No. 5.**

*House Amendment No. 5*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Section 640.013, Page 206, Line 9, by inserting immediately after said line the following:

"650.052. 1. The state's DNA profiling system shall:

(1) Assist federal, state and local criminal justice and law enforcement agencies in the identification, detection or exclusion of individuals who are subjects of the investigation or prosecution of criminal offenses in which biological evidence is recovered or obtained; and

(2) If personally identifiable information is removed, support development of forensic validation studies, forensic protocols, and the establishment and maintenance of a population statistics database for federal, state, or local crime laboratories of law enforcement agencies; and

(3) Assist in the recovery or identification of human remains from mass disasters, or for other humanitarian purposes, including identification of missing persons.

2. The Missouri state highway patrol shall act as the central repository for the DNA profiling system and shall collaborate with the Federal Bureau of Investigation and other criminal justice agencies relating to the state's participation in CODIS and the National DNA Index System or in any DNA database.

3. The Missouri state highway patrol may promulgate rules and regulations to implement the provisions of sections 650.050 to 650.100 in accordance with Federal Bureau of Investigation recommendations for the form and manner of collection of blood or other scientifically accepted biological samples and other procedures for the operation of sections 650.050 to 650.100. No rule or portion of a rule promulgated pursuant to the authority of this section shall become effective unless it has been promulgated pursuant to the provisions of section 536.024, RSMo.

4. The Missouri state highway patrol shall provide the necessary components for collection of the [convicted] offender's biological samples. For qualified offenders as defined by section 650.055 who are under custody and control of the department of corrections, the DNA sample collection shall be performed by the department of corrections and the division of probation and parole, or their authorized designee or contracted third party. For qualified offenders as defined by section 650.055 who are under custody and control of a county jail, the DNA sample collections shall be performed by the county jail or its authorized designee or contracted third party. For qualified offenders as defined by section 650.055 who are under the custody and control of companies contracted by the county or court to perform supervision and/or treatment of the offender, the sheriff's department of the county assigned to the offender shall perform the DNA sample collection. The specimens shall thereafter be forwarded to the Missouri state highway patrol crime laboratory. Any DNA profiling analysis or collection of DNA samples by the state or any county performed pursuant to sections 650.050 to 650.100 shall be subject to appropriations.

5. The state's participating forensic DNA laboratories shall meet quality assurance standards specified by the Missouri state highway patrol crime laboratory and the Federal Bureau of Investigation to ensure quality DNA identification records submitted to the central repository.

6. The state's participating forensic DNA laboratories may provide the system for identification purposes to criminal justice, law enforcement officials and prosecutors in the preparation and utilization of DNA evidence for presentation in court and provide expert testimony in court on DNA evidentiary issues.

7. The department of public safety shall have the authority to promulgate rules and regulations to carry out the provisions of sections 650.050 to 650.100. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2004, shall be invalid and void.

650.055. 1. Every individual, in a Missouri circuit court, who pleads guilty to, or is found guilty of a felony or any offense under chapter 566, RSMo, **or who is seventeen years of age or older and who is arrested for a felony offense under chapter 565 or 566, RSMo,** or has been determined beyond a reasonable doubt to be a sexually violent predator pursuant to sections 632.480 to 632.513, RSMo, shall have a blood or scientifically accepted biological sample collected for purposes of DNA profiling analysis:

(1) **Upon booking at a county jail or detention facility; or**

(2) Upon entering or before release from the department of corrections reception and diagnostic centers; or

[(2)] (3) Upon entering or before release from a county jail or detention facility, state correctional facility, or any other detention facility or institution, whether operated by private, local, or state agency, or any mental health facility if committed as a sexually violent predator pursuant to sections 632.480 to 632.513, RSMo; or

[(3)] (4) When the state accepts a person from another state under any interstate compact, or under any other reciprocal agreement with any county, state, or federal agency, or any other provision of law, whether or not the person is confined or released, the acceptance is conditional on the person providing a DNA sample if the person was convicted of, pleaded guilty to, or pleaded nolo contendere to an offense in any other jurisdiction which would be considered a qualifying offense as defined in this section if committed in this state, or if the person was convicted of, pleaded guilty to, or pleaded nolo contendere to any equivalent offense in any other jurisdiction; or

[(4)] (5) If such individual is under the jurisdiction of the department of corrections. Such jurisdiction includes persons currently incarcerated, persons on probation, as defined in section 217.650, RSMo, and on parole, as also defined in section 217.650, RSMo.

2. The Missouri state highway patrol and department of corrections shall be responsible for ensuring adherence to the law. Any person required to provide a DNA sample pursuant to this section shall be required to provide such sample, without the right of refusal, at a collection site designated by the Missouri state highway patrol and the department of corrections. Authorized personnel collecting or assisting in the collection of samples shall not be liable in any civil or criminal action when the act is performed in a reasonable manner. Such force may be used as necessary to the effectual carrying out and application of such processes and operations. The enforcement of these provisions by the authorities in charge of state correctional institutions and others having custody or jurisdiction over those who have been **arrested for**, convicted of, pleaded guilty to, or pleaded nolo contendere to felony offenses which shall not be set aside or reversed is hereby made mandatory. The board of probation or parole shall recommend that an individual who refuses to provide a DNA sample have his or her probation or parole revoked. In the event that a person's DNA sample is not adequate for any reason, the person shall provide another sample for analysis.

3. The procedure and rules for the collection, analysis, storage, expungement, use of DNA database records and privacy concerns shall not conflict with procedures and rules applicable to the Missouri DNA profiling system and the Federal Bureau of Investigation's DNA databank system.

4. Unauthorized uses or dissemination of individually identifiable DNA information in a database for purposes other than criminal justice or law enforcement is a class A misdemeanor.

5. Implementation of sections 650.050 to 650.100 shall be subject to future appropriations to keep Missouri's DNA system compatible with the Federal Bureau of Investigation's DNA databank system.

6. All DNA records and biological materials retained in the DNA profiling system are considered closed records pursuant to chapter 610, RSMo. All records containing any information held or maintained by any person or by any agency, department, or political subdivision of the state concerning an individual's DNA profile shall be strictly confidential and shall not be disclosed, except to:

(1) Peace officers, as defined in section 590.010, RSMo, and other employees of law enforcement agencies who need to obtain such records to perform their public duties;

(2) The attorney general or any assistant attorneys general acting on his or her behalf, as defined in chapter 27, RSMo;

(3) Prosecuting attorneys or circuit attorneys as defined in chapter 56, RSMo, and their employees who need to obtain such records to perform their public duties; or

(4) Associate circuit judges, circuit judges, judges of the courts of appeals, supreme court judges, and their employees who need to obtain such records to perform their public duties.

7. Any person who obtains records pursuant to the provisions of this section shall use such records only for investigative and prosecutorial purposes, including but not limited to use at any criminal trial, hearing, or proceeding; or for law enforcement identification purposes, including identification of human remains. Such records shall be considered strictly confidential and shall only be released as authorized by this section.

8. An individual may request expungement of his or her DNA sample and DNA profile through the court issuing the reversal or dismissal. A certified copy of the court order establishing that such conviction has been reversed or guilty plea or plea of nolo contendere has been set aside shall be sent to the Missouri state highway patrol crime laboratory. Upon receipt of the court order, the laboratory will determine that the requesting individual has no other qualifying offense as a result of any separate plea or conviction prior to expungement.

(1) A person whose DNA record or DNA profile has been included in the state DNA database in accordance with this section, section 488.5050, RSMo, and sections 650.050, 650.052, and 650.100 may request expungement on the grounds that the conviction has been reversed, or the guilty plea or plea of nolo contendere on which the authority for including that person's DNA record or DNA profile was based has been set aside.

(2) Upon receipt of a written request for expungement, a certified copy of the final court order reversing the conviction or setting aside the plea and any other information necessary to ascertain the validity of the request, the Missouri state highway patrol crime laboratory shall expunge all DNA records and identifiable information in the database pertaining to the person and destroy the DNA sample of the person, unless the Missouri state highway patrol determines that the person is otherwise obligated to submit a DNA sample. Within thirty days after the receipt of the court order, the Missouri state highway patrol shall notify the individual that it has expunged his or her DNA sample and DNA profile, or the basis for its determination that the person is otherwise obligated to submit a DNA sample.

(3) The Missouri state highway patrol is not required to destroy any item of physical evidence obtained from a DNA sample if evidence relating to another person would thereby be destroyed.

(4) Any identification, warrant, arrest, or evidentiary use of a DNA match derived from the database shall not be excluded or suppressed from evidence, nor shall any conviction be invalidated or reversed or plea set aside due to the failure to expunge or a delay in expunging DNA records."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 056

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Daus
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Hoskins	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Young	Zimmerman
Zweifel				



PRESENT: 000

ABSENT WITH LEAVE: 021

Baker 123	Cooper 120	Corcoran	Darrough	Dougherty
El-Amin	Franz	Haywood	Holsman	Hubbard
Hunter	Johnson	Meadows	Page	Robb
Robinson	Schneider	Shively	Spreng	Wallace
Walton				

VACANCIES: 002

On motion of Representative Ruestman, **House Amendment No. 5** was adopted.

Representative Schaaf offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Page 16, Section 58.720, Line 87, by inserting after all of said line the following:

"67.402. 1. The governing body of **the following counties may enact nuisance abatement ordinances as provided in this section:**

(1) Any county of the first classification with more than one hundred thirty-five thousand four hundred but [less] **fewer** than one hundred thirty-five thousand five hundred inhabitants[.];

(2) Any county of the first classification with more than seventy-one thousand three hundred but [less] **fewer** than seventy-one thousand four hundred inhabitants[, and];

(3) Any county of the first classification without a charter form of government and with more than one hundred ninety-eight thousand but [less] **fewer** than one hundred ninety-nine thousand two hundred inhabitants;

(4) **Any county of the first classification with more than eighty-five thousand nine hundred but fewer than eighty-six thousand inhabitants;**

(5) **Any county of the third classification without a township form of government and with more than sixteen thousand four hundred but fewer than sixteen thousand five hundred inhabitants.**

2. **The governing body of any county described in subsection 1 of this section** may enact ordinances to provide for the abatement of a condition of any lot or land that has the presence of rubbish and trash, lumber, bricks, tin, steel, parts of derelict motorcycles, derelict cars, derelict trucks, derelict construction equipment, derelict appliances, broken furniture, or overgrown or noxious weeds in residential subdivisions or districts which may endanger public safety or which is unhealthy or unsafe and declared to be a public nuisance.

[2.] 3. Any ordinance enacted pursuant to this section shall:

(1) Set forth those conditions which constitute a nuisance and which are detrimental to the health, safety, or welfare of the residents of the county;

(2) Provide for duties of inspectors with regard to those conditions which may be declared a nuisance, and shall provide for duties of the building commissioner or designated officer or officers to supervise all inspectors and to hold hearings regarding such property;

(3) Provide for service of adequate notice of the declaration of nuisance, which notice shall specify that the nuisance is to be abated, listing a reasonable time for commencement, and may provide that such notice be served either by personal service or by certified mail, return receipt requested, but if service cannot be had by either of these modes of service, then service may be had by publication. The ordinances shall further provide that the owner, occupant, lessee, mortgagee, agent, and all other persons having an interest in the property as shown by the land records of the recorder of deeds of the county wherein the property is located shall be made parties;

(4) Provide that upon failure to commence work of abating the nuisance within the time specified or upon failure to proceed continuously with the work without unnecessary delay, the building commissioner or designated officer or officers shall call and have a full and adequate hearing upon the matter before the county commission, giving the affected parties at least ten days' written notice of the hearing. Any party may be represented by counsel, and all parties shall have an opportunity to be heard. After the hearings, if evidence supports a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, the county commission shall issue

an order making specific findings of fact, based upon competent and substantial evidence, which shows the property to be a nuisance and detrimental to the health, safety, or welfare of the residents of the county and ordering the nuisance abated. If the evidence does not support a finding that the property is a nuisance or detrimental to the health, safety, or welfare of the residents of the county, no order shall be issued.

[3.] **4.** Any ordinance authorized by this section may provide that if the owner fails to begin abating the nuisance within a specific time which shall not be longer than seven days of receiving notice that the nuisance has been ordered removed, the building commissioner or designated officer shall cause the condition which constitutes the nuisance to be removed. If the building commissioner or designated officer causes such condition to be removed or abated, the cost of such removal shall be certified to the county clerk or officer in charge of finance who shall cause the certified cost to be included in a special tax bill or added to the annual real estate tax bill, at the county collector's option, for the property and the certified cost shall be collected by the county collector in the same manner and procedure for collecting real estate taxes. If the certified cost is not paid, the tax bill shall be considered delinquent, and the collection of the delinquent bill shall be governed by the laws governing delinquent and back taxes. The tax bill from the date of its issuance shall be deemed a personal debt against the owner and shall also be a lien on the property until paid."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Schaaf, **House Amendment No. 6** was adopted.

Representative Lembke offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Page 192, Section 537.675, Line 75, by inserting after all of said line the following:

"538.205. As used in sections 538.205 to 538.230, the following terms shall mean:

- (1) "Economic damages", damages arising from pecuniary harm including, without limitation, medical damages, and those damages arising from lost wages and lost earning capacity;
- (2) "Equitable share", the share of a person or entity in an obligation that is the same percentage of the total obligation as the person's or entity's allocated share of the total fault, as found by the trier of fact;
- (3) "Future damages", damages that the trier of fact finds will accrue after the damages findings are made;
- (4) "Health care provider", any physician, hospital, health maintenance organization, ambulatory surgical center, long-term care facility including those licensed under chapter 198, RSMo, dentist, registered or licensed practical nurse, optometrist, podiatrist, pharmacist, chiropractor, professional physical therapist, psychologist, physician-in-training, and any other person or entity that provides health care services under the authority of a license or certificate;
- (5) "Health care services", any services that a health care provider renders to a patient in the ordinary course of the health care provider's profession or, if the health care provider is an institution, in the ordinary course of furthering the purposes for which the institution is organized. Professional services shall include, but are not limited to, transfer to a patient of goods or services incidental or pursuant to the practice of the health care provider's profession or in furtherance of the purposes for which an institutional health care provider is organized;
- (6) "Medical damages", damages arising from reasonable expenses for necessary drugs, therapy, and medical, surgical, nursing, x-ray, dental, custodial and other health and rehabilitative services;
- (7) "Noneconomic damages", damages arising from nonpecuniary harm including, without limitation, pain, suffering, mental anguish, inconvenience, physical impairment, disfigurement, loss of capacity to enjoy life, and loss of consortium but shall not include punitive damages;
- (8) "Past damages", damages that have accrued when the damages findings are made;
- (9) "Physician employee", any person or entity who works for hospitals **or surgical centers** for a salary or under contract and who is covered by a policy of insurance or self-insurance by a hospital **or surgical center** for acts performed at the direction or under control of the hospital **or surgical center**;
- (10) "Punitive damages", damages intended to punish or deter willful, wanton or malicious misconduct, including exemplary damages and damages for aggravating circumstances;
- (11) "Self-insurance", a formal or informal plan of self-insurance or no insurance of any kind."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Muschany offered **House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 7*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Page 192, Section 537.675, Line 75, by inserting immediately after all of said line the following:

"538.205. As used in sections 538.205 to [538.230] **538.305**, the following terms shall mean:

(1) "Economic damages", damages arising from pecuniary harm including, without limitation, medical damages, and those damages arising from lost wages and lost earning capacity;

(2) "Equitable share", the share of a person or entity in an obligation that is the same percentage of the total obligation as the person's or entity's allocated share of the total fault, as found by the trier of fact;

(3) "Future damages", damages that the trier of fact finds will accrue after the damages findings are made;

(4) "Health care provider", any physician, hospital, health maintenance organization, ambulatory surgical center, long-term care facility including those licensed under chapter 198, RSMo, dentist, registered or licensed practical nurse, optometrist, podiatrist, pharmacist, chiropractor, professional physical therapist, psychologist, physician-in-training, and any other person or entity that provides health care services under the authority of a license or certificate; **except that, health care provider does not include a person, hospital, or abortion facility if the act that is the subject of the claim for damages involved the performance or inducement of an abortion, except for medical emergencies, as the terms abortion, abortion facility, and medical emergency are defined in section 188.015, RSMo;**

(5) "Health care services", any services that a health care provider renders to a patient in the ordinary course of the health care provider's profession or, if the health care provider is an institution, in the ordinary course of furthering the purposes for which the institution is organized. Professional services shall include, but are not limited to, transfer to a patient of goods or services incidental or pursuant to the practice of the health care provider's profession or in furtherance of the purposes for which an institutional health care provider is organized; **except that, health care services does not include the performance or inducement of an abortion, except for a medical emergency, as those terms are defined in section 188.015, RSMo;**

(6) "Medical damages", damages arising from reasonable expenses for necessary drugs, therapy, and medical, surgical, nursing, x-ray, dental, custodial and other health and rehabilitative services;

(7) "Noneconomic damages", damages arising from nonpecuniary harm including, without limitation, pain, suffering, mental anguish, inconvenience, physical impairment, disfigurement, loss of capacity to enjoy life, and loss of consortium but shall not include punitive damages;

(8) "Past damages", damages that have accrued when the damages findings are made;

(9) "Physician employee", any person or entity who works for hospitals for a salary or under contract and who is covered by a policy of insurance or self-insurance by a hospital for acts performed at the direction or under control of the hospital;

(10) "Punitive damages", damages intended to punish or deter willful, wanton or malicious misconduct, including exemplary damages and damages for aggravating circumstances;

(11) "Self-insurance", a formal or informal plan of self-insurance or no insurance of any kind.

**538.240. Under the policy and laws of the state of Missouri favoring childbirth over abortion and to regulate abortion to the greatest extent allowed by law, the general assembly declares that the protections from certain liabilities afforded health care providers under sections 538.205 to 538.305 shall not apply to persons, hospitals, and abortion facilities if and when engaged in the performance or inducement of abortion, except in the case of a medical emergency as the term is defined in section 188.015, RSMo."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Lembke offered **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 7.**

*House Amendment No. 1  
to  
House Substitute Amendment No. 1  
for  
House Amendment No. 7*

AMEND House Substitute Amendment No. 1 for House Amendment No. 7 to House Committee Substitute No. 2 for Senate Bill No. 976, Page 3, Section 538.240, Line 5, by deleting the words, “**to regulate**” and insert in lieu thereof the word, “**in regulating**”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Day assumed the Chair.

On motion of Representative Lembke, **House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 7** was adopted.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 049

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Daus
Donnelly	Dougherty	Fallert	Grill	Harris 23
Harris 110	Haywood	Hodges	Hoskins	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Lowe 44	McClanahan	Nasheed	Norr	Oxford
Page	Rucker	Salva	Schieffer	Schoemehl

Shively	Skaggs	Storch	Swinger	Talboy
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 026

Avery	Baker 25	Darrough	El-Amin	Frame
George	Guest	Hobbs	Holsman	Hubbard
Hunter	Johnson	Liese	Low 39	Meadows
Meiners	Quinn 9	Robinson	Roorda	Scavuzzo
Spreng	Tilley	Todd	Walton	Wright-Jones
Young				

VACANCIES: 002

On motion of Representative Muschany, **House Substitute Amendment No. 1 for House Amendment No. 7, as amended**, was adopted by the following vote:

AYES: 108

Baker 123	Bivins	Brandom	Bringer	Brown 30
Bruns	Casey	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fallert	Fisher	Flook	Franz
Funderburk	George	Grisamore	Guest	Harris 110
Hobbs	Hodges	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kratky	Kraus
Kuessner	Lembke	Liese	Lipke	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Todd	Viebrock	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Yaeger	Yates	Mr Speaker		

NOES: 032

Aull	Baker 25	Bland	Brown 50	Burnett
Chappelle-Nadal	Corcoran	Curls	Daus	Donnelly
Dougherty	Fares	Harris 23	Haywood	Hoskins
Hughes	Komo	Lampe	LeVota	Low 39
Lowe 44	McClanahan	Oxford	Page	Rucker
Skaggs	Storch	Talboy	Vogt	Wildberger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Cooper 120	Darrough	El-Amin	Frame
Grill	Holsman	Hubbard	Hunter	Johnson
Loehner	Marsh	Meadows	Robinson	Roorda
Spreng	Tilley	Walton	Wright 159	Wright-Jones
Young				

VACANCIES: 002

Representative Parson offered **House Amendment No. 8.**

*House Amendment No. 8*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Page 213, Section 8, Line 23, by inserting immediately after said line the following:

**"Section 9. When a pharmacist fills a prescription for any name brand or generic drug that has been prescribed as an immunosuppressant from a specific manufacturer and that drug has been substituted with a drug from a manufacturer other than the manufacturer specified in the prescription, MO HealthNet enrollees shall be notified in writing or verbally, upon delivery of the prescription. If such drug is substituted with notice to the MO HealthNet enrollee, the pharmacist, who fills such prescription shall also notify, unless authorized to make such substitution under subdivisions (1) and (2) of subsection 2 of section 338.056, RSMo, the prescribing health care professional before the delivery of the prescription. This requirement shall not apply to prescriptions dispensed for inpatients of a hospital, nursing home, assisted living facility, or inpatients of a mental health or residential facility. The provisions of Section 208.227, RSMo shall apply to any additional geographic areas of the state or populations covered and designated after the effective date of this section to receive MO HealthNet benefits through a care plan other than fee for service. For purposes of this section, "immunosuppressive drug" means a drug that is used in immunosuppressive therapy to inhibit or prevent activity of the immune system, and is used to prevent the rejection of transplanted organs and tissues.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Pro Tem Pratt assumed the Chair.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150

Stevenson	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Daus	Donnelly	Dougherty	Fallert	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Hoskins	Hughes	Komo	Kratky	Kuessner
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Bruns	Darrough	El-Amin	Frame
Holsman	Hubbard	Hunter	Johnson	Lampe
Meadows	Robinson	Roorda	Spreng	St. Onge
Walton	Young			

VACANCIES: 002

On motion of Representative Parson, **House Amendment No. 8** was adopted.

Representative Storch offered **House Amendment No. 9**.

*House Amendment No. 9*

AMEND House Committee Substitute No. 2 for Senate Bill No. 976, Section 386.266, Page 97, Line 84, by inserting after all of said section the following:

“402.205. 1. [The families, friends and guardians of] Persons who have a disability [or], **as defined in section 402.200, or persons who** are eligible for services provided by the department of mental health, or both, may participate in a trust which may supplement the care, support, and treatment of such persons pursuant to the provisions of sections 402.199 to 402.220. Neither the contribution to the trust for the benefit of a life beneficiary nor the use of trust income to provide benefits shall in any way reduce, impair or diminish the benefits to which such person is otherwise entitled by law; and the administration of the trust shall not be taken into consideration in appropriations for the department of mental health to render services required by law.

2. Unless otherwise prohibited by federal statutes or regulations, all state agencies shall disregard the trust as a resource when determining eligibility of Missouri residents for assistance under chapter 208, RSMo.

3. The assets of the board of trustees and assets held in trust pursuant to the provisions of sections 402.199 to 402.220 shall not be considered state money, assets of the state or revenue for any purposes of the state constitution or statutes. The property of the board of trustees and its income and operations shall be exempt from all taxation by the state or any of its political subdivisions.

402.210. 1. There is hereby created the "Missouri Family Trust Board of Trustees", which shall be a body corporate and an instrumentality of the state. The board of trustees shall consist of nine persons appointed by the

governor with the advice and consent of the senate. The members' terms of office shall be three years and until their successors are appointed and qualified. The trustees shall be persons who are not prohibited from serving by sections 105.450 to 105.482, RSMo, and who are not otherwise employed by the department of mental health. The board of trustees shall be composed of the following:

(1) Three members of the immediate family of persons who have a disability [or are the recipients of services provided by the department in the treatment of mental illness] **of mental illness**. The advisory council for comprehensive psychiatric services, created pursuant to section 632.020, RSMo, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for a term of one year, one for two years, and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council for comprehensive psychiatric services shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(2) Three members of the immediate family of persons who [are recipients of services provided by the department in the habilitation of the mentally retarded or developmentally disabled] **have a developmental disability**. The Missouri advisory council on mental retardation and developmental disabilities, created pursuant to section 633.020, RSMo, shall submit a panel of nine names to the governor, from which he shall appoint three. One shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the Missouri advisory council on mental retardation and developmental disabilities shall submit to the governor a panel of not less than three nor more than five proposed trustees, and the governor shall appoint one trustee from such panel for a term of three years;

(3) Three persons who are recognized for their expertise in general business matters and procedures. Of the three business people to be appointed by the governor, one shall be appointed for one year, one for two years and one for three years. Thereafter, as the term of a trustee expires each year, the governor shall appoint one business person as trustee for a term of three years.

2. The trustees shall receive no compensation for their services. The trust shall reimburse the trustees for necessary expenses actually incurred in the performance of their duties.

3. As used in this section, the term "immediate family" includes spouse, parents, parents of spouse, children, spouses of children and siblings.

4. The board of trustees shall be subject to the provisions of sections 610.010 to 610.120, RSMo.

5. The board of trustees shall annually prepare or cause to be prepared an accounting of the trust funds and shall transmit a copy of the accounting to the governor, the president pro tempore of the senate and the speaker of the house of representatives.

6. The board of trustees shall establish policies, procedures and other rules and regulations necessary to implement the provisions of sections 402.199 to 402.220.

402.215. 1. The board of trustees is authorized and directed to establish and administer the Missouri family trust and to advise, consult with, and render services to departments and agencies of the state of Missouri and to other nonprofit organizations which qualify as organizations pursuant to Section 501(c)(3) of the United States Internal Revenue Code of 1986, as amended, and which provide services to Missouri residents with a disability. The board shall be authorized to execute all documents necessary to establish and administer the trust including the formation of a not-for-profit corporation created pursuant to chapter 355, RSMo, and to qualify as an organization pursuant to Section 501(c)(3) of the United States Internal Revenue Code of 1986, as amended.

2. The trust documents shall include and be limited by the following provisions:

(1) The Missouri family trust shall be authorized to accept contributions from any source including trustees, personal representatives, personal custodians pursuant to chapter 404, RSMo, and other fiduciaries, and, subject to the provisions of subdivision [(11)] **(10)** of this subsection, from the life beneficiaries and their respective spouses, to be held, administered, managed, invested and distributed in order to facilitate the coordination and integration of private financing for individuals who have a disability or are eligible for services provided by the Missouri department of mental health, or both, while maintaining the eligibility of such individuals for government entitlement funding. All contributions, and the earnings thereon, shall be administered as one trust fund; however, separate accounts shall be established for each designated beneficiary. The income earned[, after deducting administrative expenses,] shall be credited to the accounts of the respective life beneficiaries in proportion to the principal balance in the account for each such life beneficiary, to the total principal balances in the accounts for all life beneficiaries;

(2) Every donor may designate a specific person as the life beneficiary of the contribution made by such donor. In addition, each donor may name a cotrustee, including the donor, and a successor or successors to the cotrustee, to act with the trustees of the trust on behalf of the designated life beneficiary; provided, however, a life beneficiary shall not be eligible to be a cotrustee or a successor cotrustee[, provided, however, that]. Court approval of the specific [person]



**persons** designated as life beneficiary and as cotrustee or successor trustee shall be required [in connection with] **at the time** any trust is created pursuant to section 473.657, RSMo, or section 475.093, RSMo;

(3) The cotrustee, with the consent of the trust, shall from time to time [but not less frequently than annually] determine the amount of income or principal or income and principal to be used to provide noncash benefits and the nature and type of benefits to be provided for the life beneficiary. Any net income which is not used shall be added to principal annually. In the event that the trust and the cotrustee shall be unable to agree either on the amount of income or principal or income and principal to be used or the benefits to be provided, then either the trust or the cotrustee shall have the right to request that the matter be resolved by arbitration which shall be conducted in accordance with the Commercial Arbitration Rules of the American Arbitration Association. The requesting party shall send a written request for arbitration to the responding party and shall in such request set forth the name, address and telephone number of such requesting party's arbitrator. The responding party shall, within ten days after receipt of the request for arbitration, set forth in writing to the requesting party the name, address and telephone number of the responding party's arbitrator. Copies of the request for arbitration and response shall be sent to the director of the department. If the two designated arbitrators shall be unable to agree upon a third arbitrator within ten days after the responding party shall have identified such party's arbitrator, then the director of the department shall designate the third arbitrator by written notice to the requesting and responding parties' arbitrators. The three arbitrators shall meet, conduct a hearing, and render a decision within thirty days after the appointment of the third arbitrator. A decision of a majority of the arbitrators shall be binding upon the requesting and responding parties. Each party shall pay the fees and expenses of such party's arbitrator and the fees and expenses of the third arbitrator shall be borne equally by the parties. Judgment on the arbitrators' award may be entered in any court of competent jurisdiction;

(4) Any donor, during his or her lifetime, except for a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, may revoke any gift made to the trust; provided, however, any donor may, at any time, voluntarily waive the right to revoke. In the event that at the time the donor shall have revoked his or her gift to the trust the life beneficiary shall not have received any benefits provided by use of trust income or principal, then an amount equal to one hundred percent of the principal balance shall be returned to the donor. Any undistributed net income shall be distributed to the charitable trust. In the event that at the time the donor shall have revoked his or her gift to the trust the life beneficiary shall have received any benefits provided by the use of trust income or principal, then an amount equal to ninety percent of the principal balance shall be returned to the donor. The balance of the principal balance together with all undistributed net income shall be distributed to the charitable trust;

(5) Any acting cotrustee, except a cotrustee of a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, other than the original donor of a life beneficiary's account, shall have the right, for good and sufficient reason upon written notice to the trust and the department stating such reason, to withdraw all or a portion of the principal balance. In such event, the applicable portion, as set forth in subdivision (7) of this subsection, of the principal balance shall then be distributed to the successor trust and the balance of the principal balance together with any undistributed net income shall be distributed to the charitable trust;

(6) In the event that a life beneficiary for whose benefit a contribution or contributions shall have been made to the family trust shall cease to [be eligible for services provided by the department of mental health] **have a disability as defined in section 402.200** and neither the donor nor the then acting cotrustee, except a cotrustee of a trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo, shall revoke or withdraw the applicable portion, as set forth in subdivision (7) of this subsection, of the principal balance, then the board of trustees may, by written notice to such donor or acting cotrustee, terminate the trust as to such beneficiary and thereupon shall distribute the applicable portion, as set forth in subdivision (7) of this subsection, of the principal balance, to the trustee of the successor trust to be held, administered and distributed by such trustee in accordance with the provisions of the successor trust described in subdivision (12) of this subsection;

(7) If at the time of withdrawal or termination as provided in subdivision (6) of this subsection of a life beneficiary's account from the trust either the life beneficiary shall not have received any benefits provided by the use of the trust income or principal or the life beneficiary shall have received benefits provided by the use of trust income or principal for a period of not more than five years from the date a contribution shall have first been made to the trust for such life beneficiary, then an amount equal to ninety percent of the principal balance shall be distributed to the successor trust, and the balance of the principal balance together with all undistributed net income shall be distributed to the charitable trust; provided, however, if the life beneficiary at the time of such withdrawal by the cotrustee or termination as provided above shall have received any benefits provided by the use of trust income or principal for a period of more than five years from the date a contribution shall have first been made to the trust for such life beneficiary, then an amount equal to seventy-five percent of the principal balance shall be distributed to the successor trust, and the balance of the principal balance together with all undistributed net income shall be distributed to the charitable trust;

(8) Subject to the provisions of subdivision (9) of this subsection, if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, then an amount equal to one hundred percent of the principal balance shall be distributed to such person or persons as the donor shall have designated. Any undistributed net income shall be distributed to the charitable trust. If at the time of death of the life beneficiary, the life beneficiary shall have been receiving benefits provided by the use of trust income or principal or income and principal, then, in such event, an amount equal to seventy-five percent of the principal balance shall be distributed to such person or persons as the donor designated, and the balance of the principal balance, together with all undistributed net income, shall be distributed to the charitable trust;

(9) In the event the trust is created as a result of a distribution from a personal representative of an estate of which the life beneficiary is a distributee, then if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, an amount equal to one hundred percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law. Any undistributed income shall be distributed to the charitable trust. If at the time of death of the life beneficiary the life beneficiary shall have been receiving benefits provided by the use of trust income or principal or income and principal, then, an amount equal to seventy-five percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law. The balance of the principal balance together with all undistributed income shall be distributed to the charitable trust. If there are no heirs at the time of either such distribution, the then-principal balance together with all undistributed income shall be distributed to the charitable trust;

(10) In the event the trust is created [as a result of the recovery of damages by reason of a personal injury to the life beneficiary, then if the life beneficiary dies before receiving any benefits provided by the use of trust income or principal, the state of Missouri shall receive all amounts remaining in the life beneficiary's account up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code, and then to the extent there is any amount remaining in the life beneficiary's account, an amount equal to one hundred percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law. If there are no heirs, the balance, if any, of the principal balance together with all undistributed income shall be distributed to the charitable trust. If at the time of death of the life beneficiary the life beneficiary should have been receiving benefits provided by the use of trust income or principal or income and principal then the state of Missouri shall receive all amounts remaining in the life beneficiary's account up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code, and then to the extent there is any amount remaining in the life beneficiary's account, an amount equal to seventy-five percent of the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law and the balance of the principal balance together with all undistributed income shall be distributed to the charitable trust. If there are no heirs, the balance of the principal balance, together with all undistributed income, shall be distributed to the charitable trust;

(11) In the event an account is established] **with the proceeds from the recovery of damages by reason of a personal injury to the life beneficiary or with the assets of the beneficiary by the beneficiary, a family member, the beneficiary's guardian, or pursuant to a court order, all in accordance with Title 42 of the United States Code Section 1396p(d)(4)(A) or Section 1396p(d)(4)(C), then upon the death of the life beneficiary the state of [Missouri] residence of the beneficiary shall receive all amounts remaining in the life beneficiary's account up to an amount equal to the total medical assistance paid on behalf of such life beneficiary under a state plan under Title 42 of the United States Code[, and then] ("State Plan"); except that twenty-five percent of the principal balance shall first be distributed to the charitable trust.** To the extent there is any amount remaining in the life beneficiary's account, [an amount equal to seventy-five percent of] the principal balance shall be distributed to such person or persons who are the life beneficiary's heirs at law [and the balance of the principal balance together with all undistributed income shall be distributed to the charitable trust]. If there are no heirs, the balance of the principal balance together with all undistributed income shall be distributed to the charitable trust. **In the event that two or more states are entitled to receive reimbursement for medical assistance paid on behalf of a beneficiary and the total of such medical assistance is in excess of the balance in the beneficiary account, then each such state shall be paid an amount equal to that portion of the beneficiary's account as is equal to the portion of the total medical assistance paid by each such state;**

[(12)] (11) Notwithstanding the provisions of subdivisions (4) to (8) of this subsection to the contrary, the donor may voluntarily agree to a smaller percentage of the principal balance in any account established by such donor than is provided in this subsection to be returned to the donor or distributed to the successor trust, as the case may be; and a corresponding larger percentage of the principal balance in such account to be distributed either to the charitable trust or to a designated restricted account within the charitable trust;

[(13)] (12) Upon receipt of a notice of withdrawal from a designated cotrustee, other than the original donor, and a determination by the board of trustees that the reason for such withdrawal is good and sufficient, or upon the issuance of notice of termination by the board of trustees, the board of trustees shall distribute and pay over to the

designated trustee of the successor trust the applicable portion of the principal balance as set forth in subdivision (7) of this subsection; provided, however, that court approval of distribution to a successor trustee shall be required in connection with any trust created pursuant to section 473.657, RSMo, or section 475.093, RSMo.

The designated trustee of the successor trust shall hold, administer and distribute the principal and income of the successor trust, in the discretion of such trustee, for the maintenance, support, health, education and general well-being of the beneficiary, recognizing that it is the purpose of the successor trust to supplement, not replace, any government benefits for the beneficiary's basic support to which such beneficiary may be entitled and to increase the quality of such beneficiary's life by providing the beneficiary with those amenities which cannot otherwise be provided by public assistance or entitlements or other available sources. Permissible expenditures include, but are not limited to, more sophisticated dental, medical and diagnostic work or treatment than is otherwise available from public assistance, private rehabilitative training, supplementary education aid, entertainment, periodic vacations and outings, expenditures to foster the interests, talents and hobbies of the beneficiary, and expenditures to purchase personal property and services which will make life more comfortable and enjoyable for the beneficiary but which will not defeat his or her eligibility for public assistance. Expenditures may include payment of the funeral and burial costs of the beneficiary. The designated trustee, in his or her discretion, may make payments from time to time for a person to accompany the beneficiary on vacations and outings and for the transportation of the beneficiary or of friends and relatives of the beneficiary to visit the beneficiary. Any undistributed income shall be added to the principal from time to time. Expenditures shall not be made for the primary support or maintenance of the beneficiary, including basic food, shelter and clothing, if, as a result, the beneficiary would no longer be eligible to receive public benefits or assistance to which the beneficiary is then entitled. After the death and burial of the beneficiary, the remaining balance of the successor trust shall be distributed to such person or persons as the donor shall have designated;

[(14)] (13) The charitable trust shall be administered as part of the family trust, but as a separate account. The income attributable to the charitable trust shall be used to provide benefits for individuals who have a disability [or who are eligible for services provided by or through the department and who either have no immediate family or whose immediate family, in the reasonable opinion of the trustees, is financially unable to make a contribution to the trust sufficient to provide benefits for such individuals, while maintaining such individuals' eligibility for government entitlement funding] **and who have no income or very limited income other than benefits.** The trustees may from time to time determine to use part of the principal of the charitable trust to provide such benefits. [As used in this section, the term "immediate family" includes parents, children and siblings. The individuals to be beneficiaries of the charitable trust shall be recommended to the trustees by the department and others from time to time.] The trustees shall annually determine the amount of charitable trust income or principal to be used to provide benefits and the nature and type of benefits to be provided for each identified beneficiary of the charitable trust. Any income not used shall be added to principal annually;

[(15)] (14) Any person, with the consent of the board of trustees, may establish a restricted account within the charitable trust and shall be permitted to determine, with the consent of the board of trustees, the beneficiaries of such restricted account provided such beneficiaries qualify as participants of the trust as set forth in subsection 1 of section 402.205.

402.217. 1. No beneficiary shall have any vested or property rights or interests in [the family] **any trust established for the benefit of such beneficiary**, nor shall any beneficiary have the power to anticipate, assign, convey, alienate, or otherwise encumber any interest in the income or principal of the [family] trust, nor shall such income or the principal or any interest of any beneficiary thereunder be liable for any debt incurred by such beneficiary, nor shall the principal or income of the [family] trust be subject to seizure by any creditor or any beneficiary under any writ or proceeding in law or in equity.

2. Except for the right of a donor to revoke any gift made to the trust, pursuant to subdivision (4) of subsection 2 of section 402.215, and the right of any acting cotrustee, other than the original donor, to withdraw all or a portion of the principal balance, pursuant to subdivision (5) of subsection 2 of section 402.215, neither the donor nor any acting cotrustee shall have the right to sell, assign, convey, alienate or otherwise encumber, for consideration or otherwise, any interest in the income or principal of the family trust, nor shall such income or the principal or any interest of any beneficiary thereunder be liable for any debt incurred by the donor or any acting cotrustee, nor shall the principal or income of the family trust be subject to seizure by any creditor of any donor or any acting cotrustee under any writ or proceeding in law or in equity.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Storch, **House Amendment No. 9** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meiners	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Corcoran	Curls	El-Amin	Hubbard
Johnson	Meadows	Nasheed	Robinson	Spreng
St. Onge	Walton	Wasson		

VACANCIES: 002

On motion of Representative Stevenson, **HCS#2 SB 976, as amended**, was adopted by the following vote:

AYES: 105

Avery	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 155	Corcoran
Cox	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Harris 23	Haywood	Hobbs	Hodges	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lampe	Lembke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Richard	Robb
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 044

Aull	Baker 25	Bland	Brown 50	Burnett
Chappelle-Nadal	Cunningham 145	Curls	Darrough	Daus
Dougherty	Frame	George	Guest	Harris 110
Hoskins	Hughes	Komo	Kratky	Kuessner
LeVota	Liese	Lipke	Low 39	Lowe 44
Nasheed	Oxford	Quinn 7	Quinn 9	Roorda
Rucker	Scavuzzo	Schoemehl	Skaggs	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Wright-Jones	Yaeger	Young	

PRESENT: 000

ABSENT WITH LEAVE: 012

Cooper 120	El-Amin	Grill	Holsman	Hubbard
Johnson	Meadows	Norr	Onder	Robinson
Spreng	Walton			

VACANCIES: 002

On motion of Representative Stevenson, **HCS#2 SB 976, as amended**, was read the third time and passed by the following vote:

AYES: 105

Avery	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Cooper 155	Corcoran
Cox	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Harris 23	Haywood	Hobbs	Hodges	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lampe	Lembke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Richard
Robb	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 042

Aull	Baker 25	Bland	Brown 50	Burnett
Chappelle-Nadal	Cunningham 145	Curls	Darrough	Daus
Dougherty	Frame	George	Guest	Harris 110
Hoskins	Hughes	Komo	Kratky	Kuessner
LeVota	Liese	Lipke	Low 39	Lowe 44
Oxford	Quinn 9	Roorda	Rucker	Scavuzzo
Schoemehl	Skaggs	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Wright-Jones
Yaeger	Young			

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper 120	El-Amin	Grill	Holsman	Hubbard
Johnson	Meadows	Nolte	Onder	Quinn 7
Robinson	Schad	Spreng	Walton	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 127

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Harris 23	Haywood
Hodges	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kratky	Kraus	Lampe	Lembke	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Wallace	Walsh	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 023

Baker 25	Burnett	Chappelle-Nadal	Daus	Fallert
George	Harris 110	Hughes	Johnson	Komo
Kuessner	LeVota	Liese	Lowe 44	Meiners
Nasheed	Skaggs	Talboy	Villa	Vogt
Wildberger	Wright-Jones	Young		

PRESENT: 000

ABSENT WITH LEAVE: 011

Brown 50	El-Amin	Grill	Hobbs	Holsman
Meadows	Quinn 7	Robinson	Schneider	Spreng
Walton				

VACANCIES: 002

**HCS SCS SB 1209, as amended, with House Amendment No. 2, pending**, relating to taxes and fees, was taken up by Representative Sutherland.

On motion of Representative Sutherland, **House Amendment No. 2** was adopted.

Representative Silvey offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Section 32.400, Page 3, Line 9, by inserting after all of said section, the following:

"52.240. 1. The statement and receipt required by section 52.230 shall be mailed to the address of the taxpayer as shown by the county assessor on the current tax books, and postage for the mailing of the statements and receipts shall be furnished by the county commission. The failure of the taxpayer to receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax liability **and penalties and interest** imposed [on him] by law. **No penalty or interest imposed under any law shall be charged on any real property tax when there is clear and convincing evidence that the county made an error or omission in determining taxes owed by a taxpayer.**

**2. The county collector shall refund penalties, interest, and taxes if the county made an error or omission. If a taxpayer believes that an error or omission has occurred and discovers the error or omission after December thirty-first, and the taxpayer has not paid current year taxes owing, the taxpayer shall pay the taxes with any penalties or interest owing. The taxpayer may then submit a written request for a refund of penalties, interest, or taxes to the county commission. If the county commission approves the refund, then such penalties, interest, or taxes shall be refunded as provided in subsection 5 of section 139.031, RSMo.**

52.290. 1. In all counties except counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of seven percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. Two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county general fund, two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the tax maintenance fund of the county as required by section 52.312 and three-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200, RSMo. **In any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, four-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county general fund and three-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200, RSMo.**

2. [In all counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax except that in a county with a charter form of government and with more than two hundred fifty thousand but less than seven hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. If a county is required by section 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection shall be paid into the county general fund.

3.] Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector [may] **shall** charge a surcharge for payment by credit card."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Flook offered **House Substitute Amendment No. 1 for House Amendment No. 3.**



*House Substitute Amendment No. 1*  
*for*  
*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Section 32.400, Page 3, Line 9, by inserting after all of said section, the following:

"52.240. 1. The statement and receipt required by section 52.230 shall be mailed to the address of the taxpayer as shown by the county assessor on the current tax books, and postage for the mailing of the statements and receipts shall be furnished by the county commission. The failure of the taxpayer to receive the notice provided for in section 52.230 in no case relieves the taxpayer of any tax liability **and penalties and interest** imposed [on him] by law. **No penalty or interest imposed under any law shall be charged on any real property tax when there is clear and convincing evidence that the county made an error or omission in determining taxes owed by a taxpayer.**

**2. The county collector shall refund penalties, interest, and taxes if the county made an error or omission. If a taxpayer believes that an error or omission has occurred and discovers the error or omission after December thirty-first, and the taxpayer has not paid current year taxes owing, the taxpayer shall pay the taxes with any penalties or interest owing. The taxpayer may then submit a written request for a refund of penalties, interest, or taxes to the county commission. If the county commission approves the refund, then such penalties, interest, or taxes shall be refunded as provided in subsection 5 of section 139.031, RSMo.**

52.290. 1. In all counties except counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of seven percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. Two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county general fund, two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the tax maintenance fund of the county as required by section 52.312 and three-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200, RSMo. **In any county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants, four-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county general fund and three-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200, RSMo.**

2. In all counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax except that in a county with a charter form of government and with more than two hundred fifty thousand but less than seven hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. If a county is required by section 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection shall be paid into the county general fund.

3. Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector [may] **shall** charge a surcharge for payment by credit card."; and

Further amend said bill, Section 67.175, Page 5, Line 64, by inserting after all of said section, the following:

"67.548. 1. In any first or second class county not having a charter form of government, which contains all or any part of a city with a population of greater than four hundred thousand inhabitants, in which the voters have approved a sales tax as provided by section 67.547, the county commission may:

(1) Reduce or eliminate the county general fund levy, the special road and bridge levy, or the park levy; and  
(2) Grant county sales tax revenues to cities, towns and villages and to special road districts organized pursuant to chapter 233, RSMo.

2. [If the county commission reduces a special road and bridge tax levy pursuant to this section which results in a reduction of revenue available to a city, town or village or to a special road district organized pursuant to chapter 233, RSMo, the commission shall in that year in which the reduction of revenue occurs set aside and place to the credit of each such entity sales tax revenues in an amount at least equal to that which each such entity would have otherwise

been entitled from the special road and bridge tax levy, had it not been for such reduction. In subsequent years, each such entity shall receive from the county an amount of sales tax revenue equal to the amount of special road and bridge tax revenue that each such entity would have received in that year, but for the reduction in the special road and bridge tax. The county shall transfer such sales tax revenue to each such entity in twelve equal monthly installments during each year in which such entity is entitled to receive such sales tax revenue] **Nothing herein shall restrict or eliminate the county's obligation to allocate revenue from the special road and bridge levy, as annually considered by the county commission, to the cities, towns, and villages and to special road districts organized under chapter 233, RSMo. Additionally, in the event the county utilizes sales tax revenues received under section 67.547 for the county's road and bridge program, the county shall be obligated to pay the same allocation percentage of such revenue to the cities, towns, and villages and to special road districts as if such revenue had been received pursuant to the special road and bridge levy and shall be paid in twelve equal monthly installments during the year in which such entity is entitled to receive the revenue. Nothing herein shall be deemed to eliminate or restrict the county's discretion in setting the special road and bridge levy or the amount of sales tax revenue to be used for the county's road and bridge program.**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

**HCS SCS SB 1209, as amended, with House Substitute Amendment No. 1 for House Amendment No. 3 and House Amendment No. 3, pending, was laid over.**

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS HCS HBs 1549, 1771, 1395 & 2366**, entitled:

An act to repeal sections 8.283, 302.720, and 544.470, RSMo, and to enact in lieu thereof eighteen new sections relating to illegal aliens, with penalty provisions and an effective date for certain sections.

With Senate Amendment No. 4, Senate Amendment No. 5, Senate Amendment No. 6, Senate Amendment No. 7, Senate Amendment No. 8, Senate Amendment No. 9, Senate Substitute Amendment No. 1 for Senate Amendment No. 10, Senate Amendment No. 11, Senate Amendment No. 17, Senate Amendment No. 19 and Senate Amendment No. 20.

### *Senate Amendment No. 4*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 4, Section 208.009, Line 13, by inserting at the end of said line, the following:

**"In processing applications for public benefits, an employee of an agency of state or local government shall not inquire about the legal status of a custodial parent or guardian applying for a public benefit on behalf of his or her dependent child who is a citizen or permanent resident of the United States."**

### *Senate Amendment No. 5*

AMEND Senate Substitute for House Committee Substitute for House Bills Nos. 1549, 1771, 1395 & 2366, Page 3, Section 208.009, Line 16 of said page, by inserting after "care," the following:

**"prenatal care, services offering alternatives to abortion,".**

### *Senate Amendment No. 6*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 26, Section 577.722, Line 19, by inserting immediately after the word "of", the following: **"8"**.

*Senate Amendment No. 7*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 29, Section 650.681, Line 14, by inserting after all of said line, the following:

**"5. The provisions of subsections 1 and 2 of this section shall not apply to any state or local agency administering one or more federal public benefit programs as such term is defined in 8 U.S.C. 1612."**

*Senate Amendment No. 8*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 11, Section 285.535, Line 28, by striking the word "ten" and inserting in lieu thereof the following:

**"fifteen";** and

Further amend Page 12, Line 10, by striking the word "ten" and inserting in lieu thereof the following: **"fifteen"**.

*Senate Amendment No. 9*

AMEND Senate Substitute for House Committee Substitute for House Bills Nos. 1549, 1771, 1395 & 2366, Page 1, Section Title, Line 4 of said page, by inserting immediately after "provisions" the following:

**", an emergency clause for certain sections,"; and**

Further amend said bill, Page 5, Section 208.009, Line 24 of said page, by inserting after all of said line the following:

**"285.309. 1. Every employer doing business in this state who employs five or more employees shall, if applicable, submit federal 1099 miscellaneous forms to the department of revenue. Such forms shall be submitted to the department of revenue within the time lines established for the filing of Missouri Form 99 forms.**

**2. Any employer who intentionally, on five or more occasions, fails to submit information on any employee required under subsection 1 of this section is guilty of a class A misdemeanor and shall be fined not more than one hundred dollars for each time the employer fails to submit the information on or after the fifth occurrence. If the failure is the result of a conspiracy between the employer and the employee or worker to not supply the required report or to supply a false or incomplete report, the fine shall be one thousand dollars for each failure to report or each false or incomplete report on and after the fifth occurrence.**

**285.500. For the purposes of sections 285.500 to 285.515 the following terms mean:**

**(1) "Employee", any individual who performs services for an employer that would indicate an employer-employee relationship in satisfaction of the factors in IRS Rev. Rule 87-41, 1987-1 C.B.296.;**

**(2) "Employer", any individual, organization, partnership, political subdivision, corporation, or other legal entity which has or had in the entity's employ five or more individuals performing any of the following services within this state:**

**(a) Construction as defined in section 290.210, RSMo;**

**(b) Public works as defined in section 290.210, RSMo;**

**(c) Maintenance work as defined in section 290.210, RSMo.**

**285.503. 1. An employer knowingly misclassifies a worker if that employer fails to claim the worker as an employee but knows, or has reason to know, that worker is an employee.**

**2. The attorney general may investigate alleged or suspected violations of sections 285.500 to 285.515 and shall have all powers provided by sections 407.040 to 407.090, RSMo, in connection with any investigation of an alleged or suspected violation of sections 285.500 to 285.515 as if the acts enumerated in sections 285.500 to 285.515 are unlawful acts proscribed by chapter 407, RSMo.**

**3. In addition to the powers set out in subsection 1 of this section, the attorney general may serve and enforce subpoenas related to the enforcement of sections 285.500 to 285.515.**

**285.506. 1.** In any action brought under sections 285.500 to 285.515, the state shall have the burden of proving that the employer misclassified the worker. If the state is unable to produce any evidence supporting its contention that the alleged misclassified worker is misclassified, the court shall find that the worker is not an employee for purposes of that action.

**2.** In any action brought under sections 285.500 to 285.515, there is a rebuttable presumption that a worker is an employee if the worker is an unauthorized alien as defined in 8 U.S.C. 1324a(h)(3). To rebut this presumption, the employer must produce an I-9 form to establish that the worker is not an unauthorized alien or other documentation to show that the worker is an independent contractor. If the employer fails to produce such evidence, the court shall find that the worker is an employee for purposes of that action.

**285.509. 1.** The department of labor and industrial relations shall establish a complaint form to receive complaints about alleged misclassification of workers. The form shall be made available on the Internet. Upon receiving a complaint, the department shall cross-check the complaint against any employer records it maintains and shall also cross-check the complaint against any records maintained by the department of revenue.

**2.** If the department determines, after conducting the review set out in subsection 1 of this section, that an employer appears to have misclassified a worker, it shall forward its determination along with supporting documentation to the attorney general.

**3.** Upon receiving the department's determination, the attorney general may request additional information or records from the department of labor and industrial relations, the department of revenue, or any other state agency that may have information or records relevant to the matter. Upon request, the department or other state agency shall provide the information or records requested. If the attorney general receives records that are otherwise closed pursuant to law, the attorney general shall likewise treat any such records obtained in the course of an investigation as closed records, except that such records may be used in the course of any action brought under sections 285.500 to 285.515.

**4.** The department of labor and industrial relations shall have the authority to promulgate rules necessary to administer the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

**285.512. 1.** Whenever the attorney general has reason to believe that an employer has engaged in, is engaging in, or is about to engage in any conduct that would be a violation of sections 285.500 to 285.515, the attorney general may seek an injunction prohibiting the employer from engaging in such conduct.

**2.** The attorney general may bring an action for injunctive relief in the circuit court of any county where the alleged violation is occurring or about to occur.

**3.** In seeking injunctive relief, the attorney general may petition the court to order that all work contracted for by the employer at any site of the employer be halted if the court determines that the employer has engaged in, or is about to engage in, any conduct that would be a violation of sections 285.500 to 285.515. In addition to such relief, the court may issue any other order or judgment necessary to prevent the employer from committing any further violations of sections 285.500 to 285.515.

**285.515. 1.** If a court determines that an employer has knowingly misclassified a worker, the court shall enter a judgment in favor of the state and award penalties in the amount of fifty dollars per day per misclassified worker up to a maximum of fifty thousand dollars to the Missouri worker protection fund established in section 285.518.

**2.** If a court determines that an employer has knowingly misclassified a worker after having been previously adjudicated for knowing misclassification of a worker, the court shall enter a judgment in favor of the state and award penalties in the amount of one hundred dollars per day per misclassified worker up to a maximum of one hundred thousand dollars to the Missouri worker protection fund established in section 285.518.

**3.** The court may, in addition to the penalties authorized by this section, order that attorneys' fees and costs be paid to the state.

**4.** The attorney general may enter into a consent judgment with any person alleged to have violated sections 285.500 to 285.515.

**285.518. There is hereby created in the state treasury the "Missouri Worker Protection Fund", which shall consist of money collected under sections 285.500 to 285.515. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used solely for the administration of sections 285.500 to 285.515. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund. This fund shall be administered by the attorney general for the purposes of ensuring that Missouri employers hire employees and subcontract with workers who are not misclassified. The fund shall consist of:**

- (1) All amounts ordered to be paid into the fund pursuant to section 285.515;**
- (2) Any amounts appropriated to the fund; and**
- (3) Any voluntary contributions, gifts, or bequests to the fund."; and**

Further amend said bill, Section C, Page 30, Line 25 of said page, by inserting immediately after all of said line the following:

"Section D. Because of the need to provide a level playing field for Missouri employers and workers, the provisions of sections 285.309 and 285.500 to 285.518 of this act are deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and are hereby declared to be an emergency within the meaning of the constitution, and sections 285.309 and 285.500 to 285.518 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1  
for  
Senate Amendment No. 10*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 26, Section 577.722, Line 28, by inserting immediately after all of said line, the following:

**"3. Nothing in this section shall be construed to deny any victim of an offense under sections 566.200 to 566.215, RSMo, of rights afforded by the federal Trafficking Victims Protection Act of 2000, Public Law 106-386, as amended."**

*Senate Amendment No. 11*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 28, Section 650.681, Line 7 of said page, by adding immediately thereafter the following:

**"2. Municipalities and political subdivisions may collect and share the identity of persons by the same means the Federal Bureau of Investigation or its successor agency uses in its Integrated Automated Fingerprint Identification System or its successor program."; and**

Re-number the remaining subsections accordingly.

*Senate Amendment No. 17*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 4, Section 208.009, Line 23, by inserting after the word "number" the following:

**"or any applicable federal identification number".**

*Senate Amendment No. 19*

AMEND Senate Substitute for House Committee Substitute for House Bills Nos. 1549, 1771, 1395 & 2366, Page 5, Section 208.009, Line 24 of said page, by inserting after all of said line the following:

**"8. Any agency that administers public benefits shall provide assistance in obtaining appropriate documentation to persons applying for public benefits who sign the affidavit required by subsection 4 of this section stating they are eligible for such benefits but lack the documents required under subsection 3 of this section."**

*Senate Amendment No. 20*

AMEND Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, Page 6, Section 285.525, Line 20, by striking the words, "or applying for".

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **Part 1 and Part 3 of HCS SCS SB 765**, and requests the House recede from its position and failing to do so grant the Senate a conference thereon.

**BILL CARRYING REQUEST MESSAGE**

**HCS SCS SB 765**, relating to political subdivisions, was taken up by Representative Schneider.

Representative Schneider moved that the House refuse to recede from its position on **Part I and Part III of HCS SCS SB 765** and grant the Senate a conference.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson

Threlkeld	Tilley	Viebrock	Wallace	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 060

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	Bland	Curls	El-Amin	Hunter
Meadows	Pollock	Robinson	Rucker	Spreng
Walton	Wasson	Wright-Jones	Young	

VACANCIES: 002

Representative Schneider again moved that the House refuse to recede from its position on **Part I and Part III of HCS SCS SB 765** and grant the Senate a conference.

Which motion was adopted.

Speaker Jetton resumed the Chair.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HCS SCS SB 765:** Representatives Schneider, Wasson, Nieves, Skaggs and Frame

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 765, Part 1 and Part 3:** Senators Goodman, Griesheimer, Purgason, Days and Green.

Speaker Pro Tem Pratt resumed the Chair.

### THIRD READING OF SENATE BILLS

**HCS SCS SB 1209, as amended, with House Substitute Amendment No. 1 for House Amendment No. 3 and House Amendment No. 3, pending**, relating to taxes and fees, was again taken up by Representative Sutherland.

On motion of Representative Flook, **House Substitute Amendment No. 1 for House Amendment No. 3** was adopted.

Representative Hubbard offered **House Amendment No. 4**.

#### *House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Page 8, Section 67.1360, Line 127, by inserting after all of said line the following:

"86.200. The following words and phrases as used in sections 86.200 to 86.366, unless a different meaning is plainly required by the context, shall have the following meanings:

(1) "Accumulated contributions", the sum of all mandatory contributions deducted from the compensation of a member and credited to the member's individual account, together with members' interest thereon;

(2) "Actuarial equivalent", a benefit of equal value when computed upon the basis of mortality tables and interest assumptions adopted by the board of trustees;

(3) "Average final compensation":

(a) With respect to a member who earns no creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last three years of creditable service as a police officer, or if the member has had less than three years of creditable service, the average earnable compensation of the member's entire period of creditable service;

(b) With respect to a member who is not participating in the DROP pursuant to section 86.251 on October 1, 2001, who did not participate in the DROP at any time before such date, and who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a policeman, or if the member has had less than two years of creditable service, then the average earnable compensation of the member's entire period of creditable service;

(c) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer for reasons other than death or disability before earning at least two years of creditable service after such return, the portion of the member's benefit attributable to creditable service earned before DROP entry shall be determined using average final compensation as defined in paragraph (a) of this subdivision; and the portion of the member's benefit attributable to creditable service earned after return to active participation in the system shall be determined using average final compensation as defined in paragraph (b) of this subdivision;

(d) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in the DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and who terminates employment as a police officer after earning at least two years of creditable service after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision;

(e) With respect to a member who is participating in the DROP pursuant to section 86.251 on October 1, 2001, or whose participation in DROP ended before such date, who returns to active participation in the system pursuant to section 86.251, and whose employment as a police officer terminates due to death or disability after such return, the member's benefit attributable to all of such member's creditable service shall be determined using the member's average final compensation as defined in paragraph (b) of this subdivision; and

(f) With respect to the surviving spouse or surviving dependent child of a member who earns any creditable service on or after October 1, 2001, the average earnable compensation of the member during the member's last two years of creditable service as a police officer or, if the member has had less than two years of creditable service, the average earnable compensation of the member's entire period of creditable service;



- (4) "Beneficiary", any person in receipt of a retirement allowance or other benefit;
- (5) "Board of police commissioners", any board of police commissioners, police commissioners and any other officials or boards now or hereafter authorized by law to employ and manage a permanent police force in such cities;
- (6) "Board of trustees", the board provided in sections 86.200 to 86.366 to administer the retirement system;
- (7) "Creditable service", prior service plus membership service as provided in sections 86.200 to 86.366;
- (8) **"Dependent", an individual or individuals receiving at least one-half of their support from the member at his or her death;**
- (9) "DROP", the deferred retirement option plan provided for in section 86.251;
- [(9)] (10) "Earnable compensation", the annual salary which a member would earn during one year on the basis of the member's rank or position as specified in the applicable salary matrix in section 84.160, RSMo, plus additional compensation for academic work as provided in subsection 8 of section 84.160, RSMo, plus shift differential as provided in subdivision (4) of subsection 9 of section 84.160, RSMo. Such amount shall include the member's deferrals to a deferred compensation plan pursuant to Section 457 of the Internal Revenue Code or to a cafeteria plan pursuant to Section 125 of the Internal Revenue Code or, effective October 1, 2001, to a transportation fringe benefit program pursuant to Section 132(f)(4) of the Internal Revenue Code. Earnable compensation shall not include a member's additional compensation for overtime, standby time, court time, nonuniform time or unused vacation time. Notwithstanding the foregoing, the earnable compensation taken into account under the plan established pursuant to sections 86.200 to 86.366 with respect to a member who is a noneligible participant, as defined in this subdivision, for any plan year beginning on or after October 1, 1996, shall not exceed the amount of compensation that may be taken into account under Section 401(a)(17) of the Internal Revenue Code, as adjusted for increases in the cost of living, for such plan year. For purposes of this subdivision, a "noneligible participant" is an individual who first becomes a member on or after the first day of the first plan year beginning after the earlier of:
  - (a) The last day of the plan year that includes August 28, 1995; or
  - (b) December 31, 1995;
- [(10)] (11) "Internal Revenue Code", the federal Internal Revenue Code of 1986, as amended;
- [(11)] (12) "Mandatory contributions", the contributions required to be deducted from the salary of each member who is not participating in DROP in accordance with section 86.320;
- [(12)] (13) "Medical board", the board of physicians provided for in section 86.237;
- [(13)] (14) "Member", a member of the retirement system as defined by sections 86.200 to 86.366;
- [(14)] (15) "Members' interest", interest on accumulated contributions at such rate as may be set from time to time by the board of trustees;
- [(15)] (16) "Membership service", service as a policeman rendered since last becoming a member, except in the case of a member who has served in the armed forces of the United States and has subsequently been reinstated as a policeman, in which case "membership service" means service as a policeman rendered since last becoming a member prior to entering such armed service;
- (17) **"Partial dependent", an individual or individuals who receive less than fifty percent of their support from the member at his or her death;**
- [(16)] (18) "Plan year" or "limitation year", the twelve consecutive-month period beginning each October first and ending each September thirtieth;
- [(17)] (19) "Policeman" or "police officer", any member of the police force of such cities who holds a rank in such police force for which the annual salary is listed in section 84.160, RSMo;
- [(18)] (20) "Prior service", all service as a policeman rendered prior to the date the system becomes operative or prior to membership service which is creditable in accordance with the provisions of sections 86.200 to 86.366;
- [(19)] (21) "Retirement allowance", annual payments for life as provided by sections 86.200 to 86.366 which shall be payable in equal monthly installments or any benefits in lieu thereof granted to a member upon termination of employment as a police officer and actual retirement;
- [(20)] (22) "Retirement system", the police retirement system of the cities as defined in sections 86.200 to 86.366;
- [(21)] (23) "Surviving spouse", the surviving spouse of a member who was the member's spouse at the time of the member's death.

86.287. Upon the receipt by the board of trustees of evidence and proof that the death of a member was the natural and proximate result of an accident occurring at some definite time and place while the member was in the actual performance of duty and not caused by negligence on the part of the member, there shall be paid in lieu of the benefits pursuant to sections 86.280 to 86.283:

(1) Effective October 1, 1999, a pension to the surviving spouse until the surviving spouse dies or remarries, whichever is earlier, of seventy-five percent of the deceased member's average final compensation plus fifteen percent of such compensation to, or for the benefit of, each unmarried dependent child of the deceased member, who is either under the age of eighteen, or who, regardless of age, is totally and permanently disabled and incapacitated from engaging in a gainful occupation sufficient to support himself or herself;

(2) Any surviving spouse or unmarried dependent child receiving benefits pursuant to this section immediately prior to October 1, 1999, shall upon application to the board of trustees be made, constituted, appointed and employed by the board of trustees as a special consultant on the problems of retirement, aging and other matters while the surviving spouse or unmarried dependent child is receiving such benefits, and upon request of the board of trustees shall give opinions in writing or orally in response to such requests as may be required. Beginning October 1, 1999, for such services as may be required, a surviving spouse shall receive additional monthly compensation equal to the amount which when added to the benefits the surviving spouse was receiving pursuant to this section prior to October 1, 1999, will increase the surviving spouse's total monthly benefit payment pursuant to this section to seventy-five percent of the deceased member's average final compensation, and there shall be payable an additional monthly compensation of one hundred dollars or five percent of the member's average final compensation, whichever is greater, for each unmarried dependent child of the member;

(3) If no surviving spouse benefits are payable pursuant to subdivisions (1) and (2) of this section, such total pension as would have been paid pursuant to subdivisions (1) and (2) of this section had there been a surviving spouse shall be divided among the unmarried dependent children under age eighteen and such unmarried dependent children, regardless of age, who are totally and permanently disabled and incapacitated from engaging in a gainful occupation sufficient to support themselves. The benefit shall be divided equally among the eligible dependent children, and the share of a child who is no longer eligible shall be divided equally among the remaining eligible dependent children; provided that not more than one-half of the surviving spouse's benefit shall be paid for one child;

(4) If there is no surviving spouse or unmarried dependent children of either class mentioned in subdivision (3) of this section, then an amount equal to the surviving spouse's benefit shall be paid to the member's dependent father or dependent mother to continue until remarriage or death; **however, the board of trustees shall review the application for benefits and determine on the basis of the information presented whether the applicant or applicants are dependent or partially dependent and, if partially dependent, the benefit shall be paid based upon the proportionate share of support, considering all other sources, actually provided by the member to such applicant;**

(5) No benefits pursuant to this section shall be paid to a child over eighteen years of age who is totally and permanently disabled if such child is a patient or resident of a public-supported institution, nor shall such benefits be paid unless such disability occurred prior to such child reaching the age of eighteen;

(6) Wherever any dependent child designated by the board of trustees to receive benefits pursuant to this section is in the care of the surviving spouse of the deceased member, such benefits may be paid to such surviving spouse for the child;

(7) Any benefit payable to, or for the benefit of, a child or children under the age of eighteen years pursuant to subdivisions (1) to (3) of this section shall continue to be paid beyond the age of eighteen years through the age of twenty-two years in those cases where the child is a full-time student at a regularly accredited college, business school, nursing school, school for technical or vocational training, or university, but such extended benefit shall cease whenever the child ceases to be a student. A college or university shall be deemed to be regularly accredited which maintains membership in good standing in a national or regional accrediting agency recognized by any state college or university."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Hubbard, **House Amendment No. 4** was adopted.

Representative St. Onge offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Page 26, Section 144.030, Line 270, by deleting all of said line and inserting in lieu thereof the following:

"(39) All purchases by a sports complex authority created under section 64.920, RSMo;

**(40) Beginning January 1, 2009, but not after January 1, 2015, materials, replacement parts, and equipment purchased for use directly upon, and for the modification, replacement, repair, and maintenance of aircraft, aircraft power plants, and aircraft accessories.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative St. Onge, **House Amendment No. 5** was adopted.

Representative Ruestman offered **House Amendment No. 6.**

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Page 29, Section 190.451, Line 22, by inserting after all of said line the following:

"233.155. 1. Whenever the inhabitants of any special road district already formed under sections 233.010 to 233.165 shall desire to extend the boundaries of such district to take in territory not included in the original district, and shall present a petition to the county commission of the county in which such district is located, or if the proposed district is to include portions of more than one county, then to the county commissions of each of such counties, signed by not less than thirty-five voters in the old district and not less than fifty percent of the voters in the territory proposed to be taken into said district, asking the county commission or commissions of such county or counties to submit the proposition of the proposed extension of such road district to a vote of the people of such proposed district for their adoption or rejection, the county commission of such county, or if the proposed district shall include parts of more than one county, the county commissions of all such counties, shall each make an order of record that the proposed extension of said road district under the provisions of this section, describing the same by its title and the date of its approval, and describing the boundaries of the district as proposed to be extended, be submitted to the voters of such proposed road district.

2. The question shall be submitted in substantially the following form:

Shall the special road district be extended?

3. If the territory of more than one county be included in said special road district, the county commission of each county in said district shall, as soon as the returns are in from said election, cause a certificate to be made out stating the number of votes cast for and against said proposition in said county, and cause such certificate to be filed with the county clerk of the county commission of every other county which shall form a part of said special road district. If it shall appear from the returns of said county and from said certificate that a majority of the votes cast upon the proposition in the whole proposed district be in favor of the extension of said road district, the county commission or county commissions in said proposed district shall declare the result of the vote thereon in said proposed district by an order of record, and shall make an order of record that the above specified road district laws shall extend to and be the law in such special road district, including the extension thereof, setting out the boundaries of said district as extended, the same to take effect and be in force from and after a day to be named in such order, said day to be not more than twenty days after said election.

4. If any territory added to any such original district be in any county outside of the county of such original district, each county outside of such original district may appoint one road commissioner to act with the commissioners appointed in the county of the original district. Such commissioners so appointed outside of the county of the original district shall serve for a term of three years from the date of such appointment, and until their successors shall be appointed and qualified. Such commissioners shall be voters of such added territory in such county of their appointment. Except as herein provided, such commissioners shall be governed by sections 233.010 to 233.165. No change shall be made in the number of commissioners appointed by the county of the original district or in the manner of their appointment. **In any special road district located in two counties with an additional fourth commissioner appointed by the county outside of the original district as provided in this subsection, a fifth commissioner may**

**be appointed by the same county that appointed the fourth commissioner. Except as herein provided, a fifth commissioner shall be governed by sections 233.010 to 233.165, shall serve for a term of three years from the date of the appointment and until the fifth commissioner's successor shall be appointed and qualified, and shall be a voter of the county of appointment.**

5. If a majority of the votes of the proposed district, as extended, be cast in favor of such extension, then the territory of such district, as extended, shall be governed by sections 233.010 to 233.165. But if such extension proposition shall not receive a majority of the votes of said district, as extended, then said special road district shall remain as it was before said petition was filed. Any special road district extended under the provisions of this section may be extended so that after such extension it shall not be more than seventeen miles square."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruestman, **House Amendment No. 6** was adopted.

Representative Weter offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Section 94.271, Page 9, Lines 10-11, by deleting the words, "**and funding the construction, maintenance, and operation of capital improvements**"; and

Further amend said bill, section, page, Lines 17-18, by deleting the words, "**and funding the construction, maintenance, and operation of capital improvements**"; and

Further amend said bill, Section 155.010, Page 28, Line 13, by inserting the following after all of said line:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.

3. The ballot of submission shall be in substantially the following form:

Shall the county of ..... (insert name of county) impose a county sales tax of ..... (insert rate of percent) percent for the purpose of providing central dispatching of fire protection, emergency ambulance service, including emergency telephone services, and other emergency services?

☐ YES

☐ NO

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525, RSMo. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.

5. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section.

6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.

7. At least once each calendar year, the governing body shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The governing body shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the governing body shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.

8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with regard to the provision of emergency services and such duties shall be exercised by the board.

9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.

10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.

11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.

**12. (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.**

**(2) The board shall consist of seven members appointed without regard to political affiliation. Each member shall be one of the following:**

- (a) The head of any of the county's fire protection districts, or a designee;**
- (b) The head of any of the county's ambulance districts, or a designee;**
- (c) The county sheriff, or a designee;**
- (d) The head of any of the police departments in the county, or a designee; and**
- (e) The head of any of the county's emergency management organizations, or a designee.**

**(3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Weter, **House Amendment No. 7** was adopted.

Representative Corcoran offered **House Amendment No. 8**.

*House Amendment No. 8*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Page 35, Section 246.305, Line 54, by inserting after all of said line the following:

"253.550. 1. Any person, firm, partnership, trust, estate, or corporation incurring costs and expenses for the rehabilitation of eligible property, which is a certified historic structure or structure in a certified historic district, shall be entitled to a credit against the taxes imposed pursuant to chapters 143 and 148, RSMo, except for sections 143.191 to 143.265, RSMo, on that person or entity in an amount equal to twenty-five percent of the total costs and expenses of rehabilitation incurred after January 1, 1998, which shall include, but not be limited to, qualified rehabilitation expenditures as defined under section 47(c)(2)(A) of the Internal Revenue Code of 1986, as amended, and the related regulations thereunder, provided the rehabilitation costs associated with rehabilitation and the expenses exceed fifty percent of the total basis in the property and the rehabilitation meets standards consistent with the standards of the Secretary of the United States Department of the Interior for rehabilitation as determined by the state historic preservation officer of the Missouri department of natural resources.

**2. For purposes of sections 253.545 to 253.559, any municipal library district and any nonprofit entity to which the municipal library district has transferred a structure shall be deemed a corporation and a for-profit entity, if the nonprofit entity immediately enters into a lease or other agreement that gives the municipal library district the right to use, control, and possess the structure and the structure being rehabilitated was first placed into service before the year 1936. In determining the rehabilitation expenditures for which credits are permitted, Sections 47(c)(2)(B)(v) and 168 of the Internal Revenue Code of 1986, as amended, shall be disregarded."**; and

Further amend said bill, Page 37, Section B, Lines 1 to 7, by deleting all of said lines and inserting in lieu thereof the following:

"Section B. Because immediate action is necessary to protect the economic welfare of the citizens of this state, the repeal and reenactment of section 253.550 and the enactment of section 144.067 of section A of this act is deemed necessary for the immediate preservation of the public health, welfare, peace, and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and reenactment of section 253.550 and the enactment of section 144.067 of section A of this act shall be in full force and effect upon its passage and approval."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Corcoran, **House Amendment No. 8** was adopted.

Representative Cunningham (86) offered **House Amendment No. 9.**

*House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Section 32.400, Page 3, Line 9, by inserting after all of said line the following:

"52.290. 1. In all counties except counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of seven percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. Two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county general fund, two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the [tax maintenance] **county jails** fund of the county as required by section [52.312] **49.310, RSMo**, and three-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200, RSMo. **In all first class counties not having a charter form of government, three-tenths of the fees collected by the public administrator shall be paid into a guardian maintenance fund and three-tenths percent of the fees paid into funds controlled by elected officials shall be paid into an audit maintenance fund. The guardian maintenance fund shall be administered at the sole discretion of the public administrator and the audit maintenance fund shall be administered at the sole discretion of the county auditor and each fund shall be subject to the same restrictions and conditions as the tax maintenance and county jail funds. The Guardian Maintenance**

**Fund may be used by the public administrator for training, purchasing new or upgrading information technology, salary supplements for existing employees, equipment or other essential administrative expenses necessary to carry out the duties and responsibilities of the office of public administrator and anything necessarily pertaining thereto. The Audit Maintenance Fund may also be used by the auditor for training, purchasing new or upgrading information technology, salary supplements for existing employees, equipment or other essential administrative expenses necessary to carry out the duties and responsibilities of the office of auditor and anything necessarily pertaining thereto.**

2. In all counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax except that in a county with a charter form of government and with more than two hundred fifty thousand but less than seven hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. If a county is required by section 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection shall be paid into the county general fund.

3. Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector [may] **shall** charge a surcharge for payment by credit card.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Robb offered **House Substitute Amendment No. 1 for House Amendment No. 9.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 9*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Section 32.400, Page 3, Line 9, by inserting after all of said line the following:

“52.290. 1. In all counties except counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of seven percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. Two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county general fund, two-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the tax maintenance fund of the county as required by section 52.312, **RSMo** and three-sevenths of the fees collected pursuant to the provisions of this section shall be paid into the county employees' retirement fund created by sections 50.1000 to 50.1200, **RSMo**. **In all first class counties not having a charter form of government, three percent of the fees collected by the public administrator shall be paid into a guardian maintenance fund and three percent of the fees paid into funds controlled by elected officials shall be paid into an audit maintenance fund. The guardian maintenance fund shall be administered at the sole discretion of the public administrator and the audit maintenance fund shall be administered at the sole discretion of the county auditor and each fund shall be subject to the same restrictions and conditions as the tax maintenance fund in the same manner as section 52.315, RSMo. The Guardian Maintenance Fund may be used by the public administrator for training, purchasing new or upgrading information technology, salary supplements for existing employees, equipment or other essential administrative expenses necessary to carry out the duties and responsibilities of the office of public administrator and anything necessarily pertaining thereto. The Audit Maintenance Fund may also be used by the auditor for training, purchasing new or upgrading information technology, salary supplements for existing employees, equipment or other essential administrative expenses necessary to carry out the duties and responsibilities of the office of auditor and anything necessarily pertaining thereto.**

2. In all counties having a charter form of government and any city not within a county, the collector shall collect on behalf of the county and pay into the county general fund a fee for the collection of delinquent and back taxes of two percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax except that in a county with a charter form of government and with more than two hundred fifty thousand but less than

seven hundred thousand inhabitants, the collector shall collect on behalf of the county a fee for the collection of delinquent and back taxes of three percent on all sums collected to be added to the face of the tax bill and collected from the party paying the tax. If a county is required by section 52.312 to establish a tax maintenance fund, one-third of the fees collected under this subsection shall be paid into that fund; otherwise, all fees collected under the provisions of this subsection shall be paid into the county general fund.

3. Such county collector may accept credit cards as proper form of payment of outstanding delinquent and back taxes due. No county collector [may] **shall** charge a surcharge for payment by credit card.”; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Robb, **House Substitute Amendment No. 1 for House Amendment No. 9** was adopted.

Representative Onder offered **House Amendment No. 10**.

*House Amendment No. 10*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1209, Page 35, Section 321.227, Lines 1 to 73, by deleting all of said lines; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Onder, **House Amendment No. 10** was adopted.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 058

Baker 25	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Donnelly
Dougherty	Fallert	Frame	George	Grill



Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Spreng
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Whorton	Wildberger	Witte
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Bland	Cooper 120	Daus	El-Amin
Harris 23	Hughes	Hunter	Meadows	Robinson
Rucker	Walton	Wasson	Wright-Jones	Young

VACANCIES: 002

On motion of Representative Sutherland, **HCS SCS SB 1209, as amended**, was adopted.

On motion of Representative Sutherland, **HCS SCS SB 1209, as amended**, was read the third time and passed by the following vote:

AYES: 105

Avery	Bivins	Brandom	Brown 30	Brown 50
Bruns	Burnett	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Emery	Faith	Fares
Fisher	Flook	Funderburk	Grill	Grisamore
Guest	Hobbs	Hodges	Holsman	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Mr Speaker

NOES: 043

Baker 25	Baker 123	Bringer	Casey	Darrough
Daus	Donnelly	Ervin	Fallert	Frame
Franz	George	Harris 23	Harris 110	Hoskins
Johnson	Komo	Kratky	Kuessner	LeVota
Lowe 44	McClanahan	Nasheed	Oxford	Quinn 9

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Roorda	Schoemehl	Shively	Spreng	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Wildberger	Witte	Yaeger
Yates	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 013

Aull	Bland	Cooper 120	El-Amin	Haywood
Hughes	Meadows	Robinson	Rucker	Walton
Wasson	Wright-Jones	Young		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Aull	Avery	Bivins	Brandom	Bringer
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Hobbs	Hodges	Holsman	Hubbard	Hunter
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Lampe
Lembke	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Schoemehl
Self	Silvey	Smith 14	Smith 150	Spreng
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Walsh	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 021

Baker 25	Baker 123	Burnett	Darrough	George
Harris 110	Haywood	Hoskins	Hughes	Johnson
Kuessner	LeVota	Rucker	Shively	Skaggs
Talboy	Todd	Villa	Vogt	Whorton
Wildberger				

PRESENT: 000

ABSENT WITH LEAVE: 011

Bland	Cooper 120	El-Amin	Meadows	Robinson
Salva	Schieffer	Walton	Wasson	Wright-Jones
Young				

VACANCIES: 002

**HCS SCS SBs 1181, 1100, 1262 & 1263**, relating to energy regulation, was taken up by Representative Schoeller.

Representative Emery offered **House Amendment No. 1**.

*House Amendment No. 1*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262 & 1263, Pages 21 and 22, Section 393.108, Lines 1 to 17, by deleting all of said lines and inserting in lieu thereof the following:

**"393.108. For purposes of this section, the hot weather rule shall mean the period of time from June first to September thirtieth, in which the discontinuance of gas and electric service to all residential users, including all residential tenants of apartment buildings, for nonpayment of bills where gas or electricity is used as the source of cooling or to operate the only cooling equipment at the residence, is prohibited in the following situations:**

**(1) On any day when the National Weather Service local forecast between 6:00 a.m. and 9:00 p.m. for the following twenty-four hours predicts that the temperature shall rise above ninety-five degrees Fahrenheit or that the heat index shall rise above one hundred five degrees Fahrenheit;**

**(2) On any day when utility personnel are not available to reconnect utility service during the immediately succeeding day or days and the National Weather Service local forecast between 6:00 a.m. and 9:00 p.m. predicts that the temperature during the period of unavailability shall rise above ninety-five degrees Fahrenheit or that the heat index shall rise above one hundred five degrees Fahrenheit; and**

**(3) In any other applicable situations provided for in rules established and amended by the public service commission."; and**

Further amend said bill, Page 22, Section 393.171, Lines 1 to 16, by deleting all of said lines and inserting in lieu thereof the following:

**"393.171. 1. The commission shall have the authority to grant the permission and approval specified in section 393.170, after the construction or acquisition of any electric plant located in a first class county without a charter form of government has been completed if the commission determines that the grant of such permission and approval is necessary or convenient for the public service. Any such permission and approval shall, for all purposes, have the same effect as the permission and approval granted prior to such construction or acquisition. This subsection is enacted to clarify and specify the law in existence at all times since the original enactment of section 393.170.**

**2. No permission or approval granted for an electric plant by the commission under subsection 1 of this section, nor any special use permit issued for any such electric plant by the governing body of the county in which the electric plant is located, shall extinguish, render moot, or mitigate any suit or claim pending or otherwise allowable by law by any landowner or other legal entity for monetary damages allegedly caused by the operation or existence of such electric plant. Expenses incurred by an electrical corporation in association with the payment of any such damages shall not be recoverable, in any form at any time, from the rate payers of any such electrical corporation.**

**3. The commission's authority under subsection 1 of this section shall expire on August 28, 2009."; and**

Further amend said bill, Pages 22 and 23, Section 393.275, Lines 1 to 40, by deleting all of said lines and inserting in lieu thereof the following:

"393.275. 1. The commission shall notify the governing body of each city or county imposing a business license tax pursuant to section 66.300, 92.045, 94.110, 94.270 or 94.360, RSMo, or a similar tax adopted pursuant to charter provisions in any constitutional charter city with a population of at least three hundred fifty thousand inhabitants which is located in more than one county, on gross receipts of any gas corporation, electric corporation, water corporation or sewer corporation of any tariff increases authorized for such firm doing business in that city or county if the approved increase exceeds seven percent. The commission shall include with such notice to any city or county the percentage increase approved for the utility, together with an estimate of the annual increase in gross receipts resulting from the tariff increase on customers residing in that city or county. The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission.

2. The governing body of each city or county notified of a tariff increase as provided in subsection 1 of this section shall reduce the tax rate of its business license tax on the gross receipts of utility corporations. Within sixty days of the effective date of the tariff increase, the tax rate shall be reduced to the extent necessary so that revenue for the ensuing twelve months will be approximately equal to the revenue received during the preceding twelve months plus a growth factor. The growth factor shall be equal to the average of the additional revenue received in each of the preceding three years. However, a city or county may maintain the tax rate of its business license tax on the gross receipts of utility corporations without reduction if an ordinance to maintain the tax rate is enacted by the governing body of the city or an order to maintain the tax rate is issued by the governing body of the county after September 28, 1985. The provisions of this subsection shall not apply to rate adjustments in the purchase price of natural gas which are approved by the commission **and such purchased gas adjustment rates shall include the gas cost portion of net write-offs incurred by the gas corporation in providing service to system sales customers upon the filing and approval of new rate schedules applicable to such customers. Such rate schedules shall be designed to simultaneously decrease the gas corporation's base rates and increase its purchased gas adjustment rates by like amounts so as to reasonably ensure that the gas cost portion of the net write-offs applicable to such customers, as such portion is determined by the commission, is only being recovered once through the gas corporation's purchased gas adjustment rates. Increases and decreases in the gas cost portion of net write-offs shall thereafter be reflected in the gas corporation's purchased gas adjustment rates pursuant to tariff provisions approved by the commission provided, however, that such tariff provisions shall:**

- (1) **Limit increases or decreases in the gas cost portion of net write-offs as reflected in purchased gas adjustment rates to once each year;**
- (2) **Require a true-up of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year; and**
- (3) **Require commission review of the gas cost portion of net write-offs as reflected in purchased gas adjustment rates once each year to insure that the gas corporation is prudently pursuing collection of amounts owed by its customers.**

**Based on its annual reviews of such collection efforts, the commission shall prepare and submit a report to the general assembly by December 1, 2011, comparing and describing any changes made or experienced in the collection practices, level of utility resources devoted to collection activities, amount and percentage of net write-offs incurred, and regulations affecting collection activities for the period beginning July 1, 2007, and ending July 1, 2011.";** and

Further amend said bill, Pages 24 and 25, Section 407.300, Lines 1 to 36, by deleting all of said lines and inserting in lieu thereof the following:

"407.300. 1. Every **purchaser or** collector of, or dealer in, junk, **scrap metal**, or any secondhand property shall keep a register [which shall contain the name and address of the person from whom] **containing a written or electronic record for each purchase or trade in which each type of metal subject to the provisions of this section is obtained for value. There shall be a separate record for each transaction involving any:**

- (1) **Copper, brass, or bronze;**
- (2) **Aluminum wire [or is purchased,], cable, pipe, tubing, bar, ingot, rod, fitting, or fastener; or**
- (3) **Material containing copper or aluminum that is knowingly used for farming purposes as "farming" is defined in section 350.010, RSMo;**

whatever may be the condition or length of such [copper wire or cable] metal. **The record shall contain the following data: A copy of the driver's license or photo identification issued by the state or by the United States government or agency thereof to the person from whom the material is obtained, which shall contain a current address of the person from whom the material is obtained; [the residence or place of business and driver's license number of such person;] and the date, time, and place of and a full description of each such purchase or trade including the quantity by weight thereof; and shall permit any peace officer to inspect the register at any reasonable time].**

**2. The records required under this section shall be maintained for a minimum of twenty-four months from when such material is obtained and shall be available for inspection by any law enforcement officer.**

**3. Anyone convicted of violating this section shall be [fined not less than twenty-five dollars nor more than five hundred dollars, or imprisoned for not less than thirty days nor more than six months, or both] guilty of a class A misdemeanor.**

**4. This section shall not apply to any of the following transactions:**

**(1) Any transaction for which the total amount paid for all regulated scrap metal purchased or sold does not exceed fifty dollars;**

**(2) Any transaction for which the seller, including a farm or farmer, has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business; or**

**(3) Any transaction for which the type of metal subject to subsection 1 of this section is a minor part of a larger item, except for equipment used in the generation and transmission of electrical power or telecommunications."; and**

Further amend said bill, Page 25, Section 407.301, Lines 1 to 9, by deleting all of said lines and inserting in lieu thereof the following:

**"407.301. 1. No scrap metal dealer shall knowingly purchase or possess a metal beer keg, whether damaged or undamaged, or any reasonably recognizable part thereof, on any premises that the dealer uses to buy, sell, store, shred, melt, cut, or otherwise alter scrap metal except when the purchase is from the brewer or its authorized representative. For purposes of this section, "keg" shall have the same meaning as in section 311.082, RSMo.**

**2. Anyone who is found guilty of, or pleads guilty to, violating this section shall be guilty of a class A misdemeanor punishable only by fine. Nothing in this section shall be construed to preclude a person violating this section from also being prosecuted for any applicable criminal offense."; and**

Further amend said bill, Page 25, Section 407.302, Lines 1 to 11, by deleting all of said lines and inserting in lieu thereof the following:

**"407.302. 1. No scrap yard shall purchase any metal that can be identified as belonging to a public or private cemetery or to a political subdivision or electrical cooperative, municipal utility, or a utility regulated under chapter 386 or 393, RSMo, including bleachers, guardrails, signs, street and traffic lights or signals, and manhole cover or covers, whether broken or unbroken, from anyone other than the cemetery or monument owner, political subdivision, electrical cooperative or utility, or manufacturer of the metal or item described in this section unless such person is authorized in writing by the cemetery or monument owner, political subdivision, electrical cooperative or utility, or manufacturer to sell the metal.**

**2. Anyone convicted of violating this section shall be guilty of a class B misdemeanor."; and**

Further amend said bill, Page 26, Section 407.303, Lines 1 to 8, by deleting all of said lines and inserting in lieu thereof the following:

**"407.303. 1. Any scrap metal dealer paying out an amount that is five hundred dollars or more shall make such payment in the form of a check or shall pay by any method in which a financial institution makes and retains a record of the transaction.**

**2. This section shall not apply to any transaction for which the seller has an existing business relationship with the scrap metal dealer and is known to the scrap metal dealer making the purchase to be an established business or political subdivision that operates a business with a fixed location that can be reasonably expected to generate regulated scrap metal and can be reasonably identified as such a business."; and**

Further amend said bill, Pages 26 to 28, Section 537.340, Lines 1 to 68, by deleting all of said lines; and

Further amend said bill, Page 28, Section 570.055, Lines 1 to 5, by deleting all of said lines and inserting in lieu thereof the following:

**"570.055. Any person who steals or appropriates, without consent of the owner, any wire, electrical transformer, metallic wire associated with transmitting telecommunications, or any other device or pipe that is associated with conducting electricity or transporting natural gas or other combustible fuels shall be guilty of a class C felony.";** and

Further amend said bill, Page 28, Section 570.056, Lines 1 to 4, by deleting all of said lines and inserting in lieu thereof the following:

**"570.056. Any person who steals or appropriates, without consent of the owner, any property located on the premises of electrical cooperatives or municipal utilities or utilities regulated under chapter 386, RSMo, shall be guilty of a class D felony.";** and

Further amend said bill, Page 31, Lines 1 to 14, by deleting all of said lines and inserting in lieu thereof the following:

"660.115. 1. For each eligible household, an amount not exceeding [six] **eight** hundred dollars for each fiscal year may be paid from the utilicare stabilization fund to the primary or secondary heating source supplier, or both, including suppliers of heating fuels, such as gas, electricity, wood, coal, propane and heating oil. For each eligible household, an amount not exceeding [six] **eight** hundred dollars for each fiscal year may be paid from the utilicare stabilization fund to the primary or secondary cooling source supplier, or both; provided that the respective shares of overall funding previously received by primary and secondary heating and cooling source suppliers on behalf of their customers shall be substantially maintained.

2. For an eligible household, other than a household located in publicly owned or subsidized housing, an adult boarding facility, an intermediate care facility, a residential care facility or a skilled nursing facility, whose members rent their dwelling and do not pay a supplier directly for the household's primary or secondary heating or cooling source, utilicare payments shall be paid directly to the head of the household, except that total payments shall not exceed eight percent of the household's annual rent or one hundred dollars, whichever is less."; and

Further amend said bill, Pages 31 and 32, Section 660.135, Lines 1 to 13, by deleting all of said lines and inserting in lieu thereof the following:

"660.135. 1. Not more than five million dollars from state general revenue shall be appropriated by the general assembly to the utilicare stabilization fund established pursuant to section 660.136 for the support of the utilicare program established by sections 660.100 to 660.136 for any fiscal year, except in succeeding years the amount of state funds may be increased by a percentage which reflects the national cost-of-living index or seven percent, whichever is lower.

2. The department of social services [may] **shall**, in coordination with the department of natural resources, apply a portion of the funds appropriated annually by the general assembly to the utilicare stabilization fund established pursuant to section 660.136 to the low income weatherization assistance program of the department of natural resources; provided that any project financed with such funds shall be consistent with federal guidelines for the Weatherization Assistance Program for Low-Income Persons as authorized by 42 U.S.C. 6861."; and

Further amend said bill, Page 32, Section 660.135, Line 13, by inserting after all of said line the following:

**"Section 1. For any electric generation plant unlawfully constructed after August 28, 2008, in any suit or claim brought by any landowner or other legal entity for monetary damages allegedly caused by the operation or existence of such electric plant, the measure of damages shall be treble the actual damages to the plaintiff's real estate proved as determined by a judge or jury, plus court costs and reasonable attorney fees.";** and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Emery, **House Amendment No. 1** was adopted.

Representative Schoeller offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262 & 1263, Section 393.275, Page 23, Line 40, by inserting after all of said section and line the following:

**"Section 393.1045. Any renewable mandate required by law shall not raise the retail rates charged to the customers of electric retail suppliers by an average of more than one percent in any year, and all the costs associated with any such renewable mandate shall be recoverable in the retail rates charged by the electric supplier. Solar rebates shall not exceed twenty-five percent of the cost of the solar panels and are included in the one percent rate cap provided for in this section.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Chappelle-Nadal offered **House Amendment No. 1 to House Amendment No. 2**.

*House Amendment No. 1*

*to*

*House Amendment No. 2*

AMEND House Amendment No. 2 to House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262 & 1263, Page 1, Line 1, by inserting immediately before said line the following:

'AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262, & 1263, Section 393.275, Page 23, Line 40, by inserting immediately after said line the following:

**"393.1036. Sections 393.1036 to 393.1040 shall be known as the "Renewable Energy Standard".**

**393.1037. As used in sections 393.1036 to 393.1040, the following terms mean:**

- (1) "Commission", the public service commission;
- (2) "Department", the department of natural resources;
- (3) "Electric utility", any electrical corporation as defined by section 386.020, RSMo;
- (4) "Renewable energy resources", electric energy produced from wind, solar thermal sources, photovoltaic cells and panels, dedicated crops grown for energy production, cellulosic agricultural residues, plant residues, methane from landfills or from wastewater treatment, clean and untreated wood such as pallets, hydropower (not including pumped storage), that does not require a new diversion or impoundment of water and that has a nameplate rating of ten megawatts or less, fuel cells using hydrogen produced by one of the above-named renewable energy sources, and other sources of energy not including nuclear that become available after August 28, 2008, and are certified as renewable by rule by the department; and
- (5) "Renewable energy credit" or "REC", a tradeable certificate of proof that one megawatt-hour of electricity has been generated from renewable energy sources.

**393.1038. 1. The commission shall, in consultation with the department, prescribe by rule a portfolio requirement for all electric utilities to generate or purchase electricity generated from renewable energy resources. Such portfolio requirement shall provide that electricity from renewable energy resources shall constitute the following portions of each electric utility's sales:**

- (1) No less than two percent for calendar years 2011 to 2013;
- (2) No less than five percent for calendar years 2014 to 2017;
- (3) No less than ten percent for calendar years 2018 to 2020; and
- (4) No less than fifteen percent in each calendar year beginning in 2021.

At least two percent of each portfolio requirement shall be derived from solar energy. The portfolio requirement shall apply to all power sold to Missouri consumers whether such power is self-generated or purchased from another source in or outside of this state. A utility may comply with the standard in whole or in part by purchasing RECs. Each kilowatt-hour of eligible energy generated in Missouri shall count as one and one-quarter kilowatt-hour for purposes of compliance.

2. The commission, in consultation with the department and within one year of August 28, 2008, shall select a program for tracking and verifying the trading of renewable energy credits. An unused credit may exist for up to three years from the date of its creation. A credit may be used only once to comply with sections 393.1036 to 393.1040 and shall not also be used to satisfy any similar nonfederal requirement. An electric utility shall not use a credit derived from a green pricing program. Certificates from net-metered sources shall initially be owned by the customer-generator. The commission, except where the department is specified, shall make whatever rules are necessary to enforce the renewable energy standard. Such rules shall include:

(1) A maximum average retail rate increase of one percent determined by estimating and comparing the electric utility's cost of compliance with least-cost renewable generation and the cost of continuing to generate or purchase electricity from entirely nonrenewable sources, taking into proper account future environmental regulatory risk including the risk of greenhouse gas regulation;

(2) Penalties of at least twice the average market value of renewable energy credits for the compliance period for failure to meet the targets of subsection 1 of this section. An electric utility shall be excused if it proves to the commission that failure was due to events beyond its reasonable control that could not have been reasonably mitigated, or that the maximum average retail rate increase has been reached. Penalties shall not be recovered from customers. Amounts forfeited under this section shall be remitted to the department to purchase renewable energy credits needed for compliance. Any excess forfeited revenues shall be used by the department's energy center solely for renewable energy and energy efficiency projects;

(3) Provisions for an annual report to be filed by each electric utility in a format sufficient to document its progress in meeting the targets;

(4) Provisions for recovery outside the context of a regular rate case of prudently incurred costs and the pass through of benefits to customers of any savings achieved by an electrical corporation in meeting the requirements of this section.

3. Each electric utility shall make available to its retail customers a standard rebate offer of at least two dollars per installed watt for new or expanded solar electric systems sited on the customers' premises, up to a maximum of twenty-five kilowatts per system, that becomes operational after 2009.

4. The department shall, in consultation with the commission, establish by rule a certification process for electricity generated from renewable resources and used to fulfill the requirements of subsection 1 of this section. Certification criteria for renewable energy generation shall be determined by factors that include fuel type, technology, and the environmental impacts of the generating facility. Renewable energy facilities shall not cause undue adverse air, water, or land use impacts, including impacts associated with the gathering of generation feedstocks. If any amount of fossil fuel is used with renewable energy resources, only the portion of electrical output attributable or renewable energy resources shall be used to fulfill the portfolio requirements.

5. The department and the commission shall promulgate rules to implement the provisions of sections 393.1036 to 393.1040. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

393.1040. In addition to the renewable energy objectives set forth in sections [393.1025, 393.1030, and 393.1035] **393.1036, 393.1037, and 393.1038**, it is also the policy of this state to encourage electrical corporations to develop and administer energy efficiency initiatives that reduce the annual growth in energy consumption and the need to build additional electric generation capacity."; and ' ; and



Further amend said amendment, said page, Line 10, by deleting said line and inserting in lieu thereof the following:

**"section.**

[393.1020. 1. It is the general assembly's intent to encourage the development and utilization of technically feasible and economical renewable technologies, creating cleaner and more sustainable forms of energy for the residents of the state. It is for this reason that sections 393.1020 to 393.1040 shall be known as the "Green Power Initiative".

2. The definitions provided in section 386.020, RSMo, shall apply to sections 393.1020 to 393.1040. As used in sections 393.1020 to 393.1040, the following terms mean:

- (1) "Department", the department of natural resources;
- (2) "Eligible renewable energy technology", sources of energy that shall be considered renewable for purposes of this section shall include but not be limited to the following:
  - (a) Solar, including photovoltaic cells, concentrating solar power technologies, and low temperature solar collectors;
  - (b) Wind;
  - (c) Hydroelectric, not including pump storage;
  - (d) Hydrogen from renewable sources;
  - (e) Biomass, any organic matter available on a renewable basis, including dedicated energy crops and trees, agricultural food and feed crops, agricultural crop wastes and residues, wood wastes and residues, animal waste, aquatic plants, biogas from landfills or wastewater treatment plants; and
  - (f) Other renewable energy sources defined by rule by the commission after consultation with the department;
- (3) "Energy efficiency", verifiable reductions in energy consumption, or verifiable reductions in the rate of energy consumption growth, as defined by rule by the commission after consultation with the department, as a result of measures implemented by electrical corporations and electricity consumers which may include, but not be limited to, pricing signals, electronic controls, education, information, infrastructure improvements, and the use of high efficiency equipment and lighting;
- (4) "Total retail electric sales", the kilowatt-hours of electricity delivered in a year by an electrical corporation to its Missouri retail customers.]

[393.1025. 1. Each electrical corporation shall make a good faith effort to generate or procure sufficient electricity generated by an eligible renewable energy technology, and support energy efficiency measures, so that by 2012, four percent of total retail electric sales in the aggregate by electrical corporations is generated by eligible renewable energy technologies, increasing to eight percent by 2015, and eleven percent generated by eligible renewable energy technologies by 2020. Generation provided by any existing eligible renewable energy technology, owned, controlled, or purchased by electrical corporations, that are operational prior to August 28, 2007, shall be applied towards meeting the objective so long as it continues to generate electricity. Credit towards the objective also may be achieved through energy efficiency that includes electrical corporation and consumer efforts to reduce the consumption of electric energy. After consulting with the department, the commission may establish intermediate goals for the use of renewable energy technologies as part of its rulemaking process.

2. By July 1, 2008, the commission shall, after consultation with the department, adopt rules that integrate into its resource planning rules the renewable energy objective of subsection 1 of this section and the criteria and standards by which it will measure an electrical corporation's efforts to meet that objective to determine whether it is making the required good faith effort. In this rulemaking, the commission shall include criteria and standards that, at a minimum, shall:

- (1) Protect against adverse economic impacts, including the costs of any transmission investments necessary to access eligible renewable energy technologies, on the ratepayers and shareholders;
- (2) Protect against undesirable impacts on the reliability of each electrical corporation's system;
- (3) Consider environmental compliance costs, present and future, of each source being evaluated; and

(4) Consider technical feasibility, providing for flexibility in meeting the objective in the event electrical corporations are, for good cause shown, unable to meet in aggregate the objective of this section.

3. In its rulemaking under this section, the commission shall provide for a weighted scale of how energy produced by various eligible renewable energy technologies shall count toward an electrical corporation's objective. In establishing this scale, the commission shall consider the attributes of various technologies and fuels and shall establish a system that grants multiple credits toward the objective for those technologies and fuels the commission determines are in the public interest to encourage. The commission may also grant multiple credits toward the objective for generation in the state or procurement of electricity generated in the state that uses an eligible renewable energy technology.

4. The commission shall develop rules as provided in this section in consultation with the department as necessary to implement the requirements of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section and section 393.1020 shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2007, shall be invalid and void.]

[393.1030. 1. Each electric corporation shall submit to the commission a biennial report by December thirty-first, beginning in 2009, on its plans, activities, and progress with regard to the objective of section 393.1025, demonstrating to the commission that it is making the required good faith effort. The report must be submitted in a format prescribed by the commission, not to exceed fifty pages, and it shall include the following:

- (1) Sufficient data to specify and verify the status of its renewable energy mix relative to the good faith objective;
- (2) Sufficient data to specify and verify the status of the electric corporation's and its customers' energy efficiency efforts relative to the good faith objective;
- (3) Efforts taken to meet the objective;
- (4) Any obstacles encountered or anticipated in meeting the objective; and
- (5) Potential solutions to the obstacles.

2. The commission shall compile the information provided under subsection 1 of this section and biennially report by July first, beginning in 2010, to the governor, the speaker of the house of representatives, the president pro tempore of the senate, the chairs of the committees in the house of representatives and senate with jurisdiction over energy and environment policy issues, and the department as to the progress of electrical corporations in the state in increasing the amount of renewable energy provided to retail customers and increasing energy efficiency, with any recommendations for regulatory or legislative action. In addition, the Missouri director of the department of economic development shall issue a biennial report by July first, beginning in 2010, on the impact of the renewable portfolio standard on the Missouri economy and the director of the department of natural resources shall issue a biennial report by July first, beginning in 2010, on the environmental impact of sections 393.1020 to 393.1040. The biennial reporting requirements under this subsection shall end after July 1, 2022.]

[393.1035. 1. Electricity produced by fuel combustion may only count toward an electrical corporation's objectives if the generation facility complies with all federal and state statutes and rules.

2. An electrical corporation may blend or co-fire a fuel listed in subsection 2 of section 393.1020, with other fuels in the generation facility, but only the percentage of electricity that is attributable to a fuel listed in that section can be counted toward an electric corporation's renewable energy objectives.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Nieves assumed the Chair.

Representative Chappelle-Nadal moved that **House Amendment No. 1 to House Amendment No. 2** be adopted.

Which motion was defeated by the following vote:

AYES: 037

Aull	Bland	Brown 50	Burnett	Chappelle-Nadal
Curls	Daus	Fallert	George	Harris 23
Haywood	Hodges	Holsman	Komo	Kratky
LeVota	Low 39	Lowe 44	Meiners	Nasheed
Oxford	Page	Parkinson	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Storch	Talboy
Todd	Walsh	Walton	Wildberger	Wright-Jones
Zimmerman	Zweifel			

NOES: 105

Baker 123	Bivins	Brandom	Bringer	Brown 30
Bruns	Casey	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Kuessner	Lampe
Lembke	Liese	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Villa	Wallace
Wasson	Wells	Weter	Whorton	Wilson 119
Witte	Wood	Wright 159	Yaeger	Yates

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 018

Avery	Baker 25	Corcoran	Donnelly	Dougherty
El-Amin	Hughes	Hunter	Johnson	McClanahan
Meadows	Robinson	Self	Spreng	Viebrock
Vogt	Young	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Schoeller, **House Amendment No. 2** was adopted.

Representative Wasson offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262, & 1263, Section 64.170, by inserting after all of said section the following:

**"135.670. 1. As used in this section, the following terms mean:**

(1) "Class 8 truck", a heavy duty vehicle, as defined in 42 U.S.C. Section 16104, as amended, that has a gross vehicle weight in excess of thirty three thousand pounds;

(2) "Department", the department of revenue;

(3) "Idle reduction technology", shall have the same meaning ascribed in 42 U.S.C. Section 16104, as amended;

(4) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, and 153, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions;

(5) "Taxpayer", a person, firm, a partner in a firm, corporation, or a shareholder in an S corporation doing business in the state of Missouri and subject to the state income tax imposed by the provisions of chapter 143, RSMo, or a corporation subject to the annual corporation franchise tax imposed by the provisions of chapter 147, RSMo, or an express company which pays an annual tax on its gross receipts in this state pursuant to chapter 153, RSMo, or an individual subject to the state income tax imposed by the provisions of chapter 143, RSMo.

2. For all tax years beginning on or after January 1, 2008, a taxpayer shall be allowed to claim a tax credit against the taxpayer's state tax liability in an amount equal to fifty percent of the amount such taxpayer paid to purchase and install idle reduction technology on a class 8 truck after January 1, 2008. In no case shall the tax credit exceed thirty five hundred dollars per truck.

3. The amount of the tax credit claimed shall not exceed the amount of the taxpayer's state tax liability for the taxable year for which the credit is claimed. However, any tax credit that cannot be claimed in the taxable year the purchase and installation was made may be carried over to the next three succeeding taxable years until the full credit has been claimed. The tax credit allowed under this section shall be nontransferable.

4. The cumulative amount of tax credits which may be issued under this section in any one fiscal year shall not exceed ten million dollars, and the total amount of tax credits which may be issued under this section shall not exceed twenty million dollars. If the amount of tax credits claimed under this section exceeds ten million dollars in any one fiscal year, the director of the department of revenue shall establish a procedure by which, from the beginning of the fiscal year until some point in time later in the fiscal year to be determined by the director, the cumulative amount of tax credits are equally apportioned among all taxpayers allowed a tax credit under this section. The director may establish more than one period of time and reapportion more than once during each fiscal year. To the maximum extent possible, the director shall establish the procedure described in this subsection in such a manner as to ensure that taxpayers can claim all the tax credits possible up to the cumulative amount of tax credits available for the fiscal year.

5. Not less than one hundred and twenty days from the effective date of this act, the department shall promulgate rules necessary for the implementation of the provisions of this act. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

6. The provisions of this section shall automatically sunset two years after August 28, 2008, unless reauthorized."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Pearce assumed the Chair.

On motion of Representative Wasson, **House Amendment No. 3** was adopted.

Representative Hobbs offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262 & 1263, Section 394.320, Page 23, Lines 1 to 17, by striking all of said section from bill; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Hobbs, **House Amendment No. 4** was adopted.

Representative Holsman offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262 & 1263, Page 15, Section 64.170, Line 34, by inserting after all of said line the following:

- "135.032. 1. This section shall be known and may be cited as the "Green Building Tax Credit".
2. As used in this section, the following terms mean:
- (1) "Applicant", a taxpayer who is either the owner or builder or contract purchaser of a building, and is applying for a green building tax credit for such building;
- (2) "Base building", all areas of a building not intended for occupancy by a tenant or owner, including, but not limited to, the structural components of the building, exterior walls, floors, windows, roofs, foundations, chimneys and stacks, parking areas, mechanical rooms and mechanical systems, and owner-controlled and/or operated service spaces, sidewalks, main lobby, shafts and vertical transportation mechanisms, stairways, and corridors;
- (3) "Commissioning", the process of verifying and ensuring that the entire building and the systems within are designed, constructed, functionally tested, and calibrated to operate as intended;
- (4) "Credit allowance year", the year as stated on the preliminary credit certificate by the director;
- (5) "Department", the department of natural resources;
- (6) "Director", the director of the department of natural resources;
- (7) "Economic development area", an economic development area as defined under section 99.805, RSMo;
- (8) "Eligible building", a building located within the state, which is:
- (a) A residential multi-family building;
- (b) A residential, single-family, detached dwelling;
- (c) A building used for commercial or industrial purposes; or
- (d) Any combination of buildings described in paragraphs (a) to (d) of this subdivision;
- (9) "Energy and Atmosphere Credit Number One", the credit awarded by the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, which requires increased energy performance above the standard as defined in the most current version of the LEED-NC or LEED-EB Rating System;
- (10) "Energy and Atmosphere Credit Number Three", the credit awarded by the LEED Green Building Rating System, which requires additional commissioning above the fundamental commissioning prerequisite as defined in the most current version of the LEED-NC or LEED-EB Rating System;
- (11) "Gold rating", the rating in compliance with, or exceeding, the second highest rating awarded by the USGBC LEED certification process;
- (12) "Green base building", a base building that meets all requirements in the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design Rating System for Core and Shell or that meets the most current requirements for at least a three globes rating under Green Globes;

(13) "Green building" or "high-performance building", a building that is designed to achieve integrated systems design and construction so as to significantly reduce or eliminate the negative impact of the built environment on the following:

- (a) Site conservation and sustainable planning;
- (b) Water conservation and efficiency;
- (c) Energy efficiency and renewable energy;
- (d) Conservation of materials and resources; and
- (e) Indoor environmental quality and human health;

(14) "Green Globes", an environmental assessment and rating tool for green buildings developed by the Green Building Initiative;

(15) "Green tenant space", a tenant space as defined under subdivision (24) of this section that meets all requirements in the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design Rating System for Commercial Interiors or that meets the most current requirements for at least a three globes rating under Green Globes;

(16) "Green whole building", a whole building that meets all requirements in the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design Rating System for New Building Construction and Major Renovations LEED-NC, as amended from time to time, or that meets all requirements in the most current version of the U.S. Green Building Council's Leadership in Energy and Environmental Design Rating System for Existing Buildings, or that meets the most current requirements for at least a three globes rating under Green Globes;

(17) "LEED-CI" or "LEED Green Building Rating System Version LEED-CI", the most current Leadership in Energy and Environmental Design Green Building Rating System guidelines developed and the United States Green Building Council for commercial interiors;

(18) "LEED-CS" or "LEED Green Building Rating System Version LEED-CS", the most current Leadership in Energy and Environmental Design Green Building Rating System guidelines developed and adopted by the United States Green Building Council for the core and shell of buildings otherwise known as the base building;

(19) "LEED-EB" or "LEED Green Building Rating System Version LEED-EB", the most current Leadership in Energy and Environmental Design Green Building Rating System guidelines developed and adopted by the United States Green Building Council for existing buildings;

(20) "LEED-NC" or "LEED Green Building Rating System Version LEED-NC", the most current Leadership in Energy and Environmental Design Green Building Rating System developed and adopted by the United States Green Building Council for new buildings and major renovations;

(21) "Platinum rating", the rating in compliance with, or exceeding, the highest rating awarded by the USGBC LEED certification process;

(22) "Silver rating", the rating in compliance with, or exceeding, the third highest rating awarded by the USGBC LEED certification process;

(23) "State tax liability", in the case of a business taxpayer, any liability incurred by such taxpayer pursuant to the provisions of chapters 143, 147, 148, and 153, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions, and in the case of an individual taxpayer, any liability incurred by such taxpayer under the provisions of chapter 143, RSMo, excluding sections 143.191 to 143.265, RSMo, and related provisions;

(24) "Tenant space", the portion of a building intended for occupancy by a tenant or occupying owner;

(25) "United States Green Building Council" or "USGBC", the specific council which measures and evaluates the energy and environmental performance of a building according to its own Leadership in Energy and Environmental Design Rating system;

(26) "Whole building", the entire building, as comprised of the base building and tenant space.

3. (1) The green building tax credit shall be available to an applicant for:

(a) Either the construction of a green building or the rehabilitation of a building, which is not a green building, into a green building;

(b) The construction or rehabilitation of a base building which is not a green base building, into a green base building; or

(c) The construction or rehabilitation of a tenant space which is not green tenant space, into green tenant space.

(2) An applicant may apply for a green building tax credit provided that the facility subject to the green building tax credit is located within the state and the applicant will be the owner or contract purchaser of the facility at the time of erection, construction, installation, or acquisition of the proposed facility.

(3) If a credit is allowed to a building owner pursuant to this section with respect to property, and such property or an interest therein is sold, the credit for the period after the sale, which would have been allowable under this section to the prior owner, shall be allowable to the new owner. Credit for the year of sale shall be allocated between the parties on the basis of the number of days during such year that the property or interest was held by each.

(4) In the case of allowance of credit under this section to a successor owner as provided in subdivision (3) of this subsection, the director shall have the authority to reveal to the successor owner any information, with respect to the credit of the prior owner, which is the basis for the denial in whole or in part of the credit claimed by such successor owner.

4. An applicant shall be eligible for a green building tax credit against a state tax liability provided such applicant complies with the requirements of subsection 5 of this section and provided that the building meets the requirements of an eligible building as set forth in subdivision (8) of subsection 2 of this section. The amount of credit shall be determined pursuant to subsection 7 of this section, but the total amount of tax credits issued to a single applicant under this section shall not exceed fifty thousand dollars per tax year.

(1) The credit amount shall be the sum of the following credit components, whichever are applicable:

(a) The green whole-building credit component shall be available to an applicant for either the construction of a green building or the rehabilitation of a building which is not a green whole building into a green whole building. The green whole-building credit component may not be allowed for any taxable year unless all the requirements under subsection 5 of this section are met; and

a. The whole building achieves a Silver, Gold, or Platinum Rating as approved by the LEED-NC Green Building Rating System, as amended from time to time, or the most recent version, for a new building and for major renovations; or, LEED Green Building Rating System Version LEED-EB, or the most recent version, for an existing building; or

b. The whole building achieves at least a three globes rating under the most current requirements of Green Globes;

(b) The green base building credit component shall be available to an applicant who is the contract owner for either the construction of a green building or the rehabilitation of a building, which is not a green base building, into a green base building. The green base building credit component may not be allowed for any taxable year unless all the requirements under subsection 5 of this section are met; and

a. The base building achieves a Silver, Gold, or Platinum Rating as approved by the LEED-CS Green Building Rating System, or the most recent version thereof; or

b. The base building achieves at least a three globes rating under the most current requirements of Green Globes;

(c) The green tenant space credit component shall be available to an applicant for constructing tenant space or rehabilitating tenant space, which is not green tenant space, into green tenant space. The green tenant space credit component may not be allowed for a taxable year unless all the requirements under subsection 5 of this section are met; and

a. The tenant space achieves a Silver, Gold, or Platinum Rating as approved by the LEED-CI Green Building Rating System, or the most recent version thereof; or

b. The tenant space achieves at least a three globes rating under the most current requirements of Green Globes.

(2) For each component eligible to receive credit such credit component amount shall not exceed the maximum amount specified in the preliminary certificate issued pursuant to subsection 8 of this section.

5. (1) The green building tax credit shall not be allowed for any taxable year unless the following are met:

(a) The applicant has obtained and filed a preliminary credit certificate issued under subsection 8 or 9 of this section;

(b) The building is in service as shown by a certificate of occupancy or other acceptable form of documentation as determined by the department; and

(c) The whole building, base building or tenant space has achieved either:

a. At least a three globes rating under the most current requirements for Green Globes; or

b. A Silver, Gold, or Platinum rating as approved by the applicable and most recent LEED Green Building Rating System as determined under subsection 4 of this section and in achieving its LEED rating, the whole building, base building, or tenant space must earn:

i. At least four LEED points for Energy and Atmosphere Credit Number One, or the equivalent points under any subsequent version of LEED; and

ii. The point for Energy and Atmosphere Credit Number Three, or the equivalent points under any subsequent version of LEED.

(2) For each component eligible to receive credit under subsection 4 of this section, once construction is complete and an occupancy certificate is received, such credit component amount shall be allowed for each of the next four succeeding taxable years provided that the applicant obtains an eligibility certificate that meets all requirements for an eligibility certificate as described in paragraph (b) of subdivision (3) of subsection 10 of this section.

(3) When filing with the department of revenue, the applicant shall file the eligibility certificate and the preliminary credit component certificate with the claim for credit. Allowable costs in this subsection and for all five years that the credit may be available shall not exceed, in the aggregate, the amount determined under subsections 4, 6, and 7 of this section.

6. For tax years beginning on or after January 1, 2010, the tax credits authorized under this section may be used to satisfy taxes owed under chapters 143, 147, and 148, RSMo, excluding sections 143.191 to 143.265, RSMo, in the tax year the credit is issued. Tax credits issued under this section shall be refundable and may be transferred, sold, or assigned by notarized endorsement, which names the transferee. In no case shall the aggregate amount of all tax credits issued under this section exceed one million dollars per tax year.

7. As soon as practicable, but not later than December 1, 2009, the department shall promulgate rules, in accordance with the provisions of this section, to:

- (1) Determine the amount of green building tax credit available to a taxpayer based on the following:
  - (a) The amount of floor space in the building;
  - (b) The square footage of the building;
  - (c) The green globes rating or the level of LEED rating achieved by the building, with higher ratings corresponding to greater tax credits; and
  - (d) Whether the building is located in an economic development area with a higher tax credit corresponding to those buildings located in an economic development area;
- (2) Determine allowable credit for each of:
  - (a) The whole green building credit component;
  - (b) The base green building credit component; and
  - (c) The green tenant space credit component.

The department shall promulgate rules for granting green building tax credits to applicants constructing or owning buildings that achieve National Association of Home Builder Model Green Building Ratings that are substantially similar to the performance standards set forth in this bill. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

8. (1) Prior to construction of a proposed facility an applicant may apply to the department for preliminary certification if the applicant will be the owner or contract purchaser of the facility at the time of construction.

(2) An application for preliminary certification shall be made in writing on a form prepared by the department and shall contain:

- (a) A statement that the applicant plans to construct a facility that meets the requirements under subsection 5 of this section;
- (b) A detailed description of the proposed facility and its operation and information showing that the facility shall operate as represented in the application;
- (c) The estimated start and finish date of the construction of the facility;
- (d) Evidence of official registration in the LEED system or green globes rating system; and
- (e) Any other information determined by the director to be necessary prior to issuance of a preliminary certificate.

(3) The director may allow an applicant to file the preliminary application after the start of the construction of the facility if the director finds that filing the application before the start of construction is inappropriate because special circumstances render filing earlier unreasonable.



(4) If the director determines that the proposed construction is technically feasible and should operate in accordance with the representations made by the applicant, and is in accordance with the provisions under subsection 5 of this section and any applicable rules or standards adopted by the director, the director shall issue a preliminary credit certificate approving the construction of the facility. The preliminary credit certificate shall state the following:

- (a) The first taxable year for which the credit may be applied;
- (b) The expiration date of the tax credit. Such expiration date may be extended at the discretion of the director in order to avoid unwarranted hardship; and
- (c) The maximum amount of the total credit allowed and the maximum amount of credit allowed in any single tax year.

(5) If the director determines that the construction does not comply with the provisions under subsection 5 of this section and applicable rules and standards, the director shall issue an order denying certification.

9. (1) To change a project that has already received preliminary certification, the applicant shall file a written request to the director which states:

- (a) A detailed description of the changes;
- (b) The reasons for the changes; and
- (c) The effects that the changes will have on the amount of tax credit stated by the preliminary certification.

(2) The director shall make the determination as to whether the changed project complies with the requirements under subsection 5 of this section.

(a) If the changed project complies with the requirements under subsection 5 of this section, then the director shall issue an amended preliminary certification.

(b) If the changed project fails to comply with the requirements under subsection 5 of this section, then the director shall issue an order that revokes the preliminary certification.

10. (1) No final certification shall be issued by the director under this subsection unless the facility was constructed under a preliminary certificate of approval issued under subsection 8 of this section.

(2) An applicant may apply to the department for final certification of a facility:

(a) If the department issued preliminary certification for the facility under subsection 8 of this section; and

(b) After completion of construction of the proposed facility.

(3) An application for final certification shall be made in writing on a form prepared by the department and shall contain:

- (a) A statement that the conditions of the preliminary certification have been complied with;
- (b) An eligibility certificate from the project architect or professional engineer licensed to practice in the state of Missouri or from a LEED accredited professional that consists of a certification by either:

a. The Green Building Initiative that the building with respect to which the credit is claimed meets the requirements for a green globes rating; or

b. The United States Green Building Council that the building with respect to which the credit is claimed is LEED certified and that in achieving its LEED rating, the building has earned at least four LEED points for Energy and Atmosphere Credit Number One and the Energy and Atmosphere Credit Number Three;

(c) A statement of the level of Green Globes or LEED performance achieved by the building to permit determination of the proper credit amount under subsection 6 of this section;

(d) A statement that the facility is in operation; and

(e) Any other information determined by the director to be necessary prior to issuance of a final certificate, including inspection of the facility by the department.

11. (1) The director may order the revocation of the final certificate issued under subsection 10 of this section if the director finds that:

- (a) The certification was obtained by fraud or misrepresentation; or
- (b) The holder of the certificate has failed substantially to construct the facility in compliance with the plans, specification, and procedures in such certificate.

(2) As soon as the order of revocation under this subsection becomes final, the director shall notify the department of revenue of such order.

(3) If the certificate is ordered revoked under paragraph (a) of subdivision (1) of this subsection, all prior tax credits provided to the applicant by virtue of such certificate shall be forfeited, and upon notification under subdivision (2) of this subsection, the department of revenue immediately shall proceed to collect those taxes not paid by the applicant as a result of the tax credits provided to the applicant under this section.

(4) If the certificate is ordered revoked under this subsection, the applicant shall be denied any tax credit under this section in connection with such facility after the date that the order of revocation becomes final.

12. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

(1) The tax credit authorized under this section shall automatically sunset three years after the effective date of this section unless reauthorized by an act of the general assembly; and

(2) If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and

(3) This section shall terminate on September first of the calendar year immediately following the calendar year in which a program authorized under this section is sunset."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Holsman, **House Amendment No. 5** was adopted.

Representative Stevenson offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill Nos. 1181, 1100, 1262 & 1263, Page 32, Section 660.135, Line 13, by inserting after all of said line, the following:

"Section 1. Notwithstanding any other provision of law, any electrical corporation as defined by subdivision 15 of section 386.020, RSMo, which, by January 20, 2009, achieves an amount of eligible renewable energy technology nameplate capacity equal to or greater than fifteen percent of such corporation's total owned fossil-fired generating capacity, shall be exempt thereafter from a requirement to pay any subsidy, fee, or rebate to its customers that install their own solar electric energy system and shall be exempt from meeting any non-federal mandated renewable energy standard requirements. Any disputes or denial of exemptions under this section shall be reviewable by the circuit court of Cole County as prescribed by law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Stevenson, **House Amendment No. 6** was adopted.

On motion of Representative Schoeller, **HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, was adopted.

On motion of Representative Schoeller, **HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, was read the third time and passed by the following vote:

AYES: 116

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Casey	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dixon	Dusenberg
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Grill	Grisamore
Guest	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Parkinson

Parson	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 025

Baker 123	Bringer	Burnett	Chappelle-Nadal	Daus
Dethrow	Donnelly	Ervin	George	Harris 23
Harris 110	Johnson	Kuessner	McClanahan	Page
Pearce	Quinn 9	Sater	Scavuzzo	Shively
Talboy	Villa	Vogt	Whorton	Zweifel

PRESENT: 002

Oxford	Wilson 130
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ABSENT WITH LEAVE: 018

Avery	Cooper 120	Corcoran	Darrough	Dougherty
El-Amin	Funderburk	Haywood	Hunter	Low 39
Lowe 44	Meadows	Nasheed	Robinson	Schoemehl
Spreng	Swinger	Young		

VACANCIES: 002

Representative Pearce declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Grill	Grisamore	Guest
Harris 23	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Parkinson	Parson	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander

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Sater	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Self	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walsh	Walton	Wells	Weter	Wilson 119
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 015

Baker 123	Burnett	George	Harris 110	Hughes
Page	Pearce	Quinn 9	Scavuzzo	Shively
Talboy	Villa	Vogt	Whorton	Wildberger

PRESENT: 002

Oxford	Wilson 130
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ABSENT WITH LEAVE: 015

Avery	Dougherty	El-Amin	Funderburk	Haywood
Hunter	Johnson	Low 39	Lowe 44	Meadows
Robinson	Schoemehl	Spreng	Wasson	Young

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

### HOUSE BILL WITH SENATE AMENDMENTS

**SS HCS HBs 1549, 1771, 1395 & 2366, as amended**, relating to illegal aliens, was taken up by Representative Nolte.

Representative Nolte moved that the House refuse to adopt **SS HCS HBs 1549, 1771, 1395 & 2366, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Representative LeVota made a substitute motion that the House adopt **SS HCS HBs 1549, 1771, 1395 & 2366, as amended**.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Icet	Jones 89	Jones 117	Kasten

Kelly	Kingery	Kraus	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Yates	Mr Speaker			

NOES: 055

Aull	Baker 25	Bland	Brown 50	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	George
Harris 23	Harris 110	Hodges	Hoskins	Hubbard
Hughes	Johnson	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Bringer	Burnett	Cooper 120	El-Amin
Emery	Grill	Haywood	Holsman	Hunter
Lembke	Low 39	Meadows	Page	Portwood
Robinson	Salva	Schoemehl	Spreng	Stevenson
Wallace	Wright 159	Young	Zimmerman	

VACANCIES: 002

Representative LeVota again moved that the House adopt **SS HCS HBs 1549, 1771, 1395 & 2366, as amended.**

Which motion was defeated by the following vote:

AYES: 049

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Corcoran	Curls	Darrough	Donnelly
Dougherty	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Hubbard	Komo
Kratky	Kuessner	Lampe	Liese	Lowe 44
McClanahan	Nasheed	Norr	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Shively
Stevenson	Storch	Swinger	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Zimmerman	Zweifel	

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NOES: 097

Baker 123	Bivins	Brandom	Brown 30	Bruns
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hoskins
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	LeVota	Lipke	Loehner	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Skaggs	Smith 14	Smith 150	St. Onge
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Mr Speaker			

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Cooper 120	El-Amin	Emery	Haywood
Holsman	Low 39	Meadows	Portwood	Robinson
Salva	Schoemehl	Spreng	Wallace	Young

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Bivins	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter

Wilson 119                      Wilson 130                      Wood                      Wright 159                      Yates  
Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Lowe 44	McClanahan	Meiners
Norr	Oxford	Page	Quinn 9	Rucker
Salva	Scavuzzo	Schieffer	Shively	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Cooper 120	El-Amin	Haywood
Hunter	Low 39	Meadows	Nasheed	Portwood
Robinson	Roorda	Schoemehl	Skaggs	Spreng
Young				

VACANCIES: 002

Representative Nolte again moved that the House refuse to adopt **SS HCS HBs 1549, 1771, 1395 & 2366, as amended**, and request the Senate to recede from its position and, failing to do so, grant the House a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**HCS#2 SS SCS SB 718**, relating to incentives for business development, was taken up by Representative Pearce.

Representative Pearce offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Section 32.105, Page 2, Line 24, by deleting "5%" and inserting in lieu thereof "35%"; and

Further amend said bill, Section 137.115, Page 15, Line 7, by deleting the word "possessor" from said line and inserting in lieu thereof the following: "[possessor] **possessory**"; and

Further amend said page, Line 9, by deleting the word "**possessor**" and inserting in lieu thereof the word "**possessory**"; and

Further amend said bill, section, page, Line 13, by deleting the word "**possessor**" and inserting in lieu thereof the word "**possessory**"; and

Further amend said bill, section, page, Line 16, by deleting the word "**possessor**" and inserting in lieu thereof the word "**possessory**"; and

Further amend said bill, Section 620.1881, Page 57, Lines 204 and 205, by removing the open "[" and closed "]" brackets from said lines; and

Further amend said page, Line 205, by inserting an open bracket "[" in front of the word "forty"; and

Further amend said line, by inserting after the word "forty" the following:

"**] sixty**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Salva offered **House Amendment No. 1 to House Amendment No. 1**.

Representative Richard raised a point of order that **House Amendment No. 1 to House Amendment No. 1** goes beyond the scope of the amendment.

The Chair ruled the point of order well taken.

On motion of Representative Pearce, **House Amendment No. 1** was adopted.

Representative Richard offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 1, In the Title, Line 4, by inserting after "RSMo," the following:

"and section 99.825 as enacted by senate committee substitute for house committee substitute for house bill no. 741, ninety-fourth general assembly, first regular session, and section 99.825 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session,"; and

Further amend said bill, Page 1, Section A, Line 3, by inserting after "RSMo," the following:

"senate committee substitute for house committee substitute for house bill no. 741, ninety-fourth general assembly, first regular session, and section 99.825 as enacted by conference committee substitute for house committee substitute for senate bill no. 1, eighty-ninth general assembly, second extraordinary session,"; and

Further amend said bill, Page 6, Section 67.1545, Line 57, by inserting after all of said line the following:

"99.820. 1. A municipality may:

(1) By ordinance introduced in the governing body of the municipality within fourteen to ninety days from the completion of the hearing required in section 99.825, approve redevelopment plans and redevelopment projects, and designate redevelopment project areas pursuant to the notice and hearing requirements of sections 99.800 to 99.865. No redevelopment project shall be approved unless a redevelopment plan has been approved and a redevelopment area has been designated prior to or concurrently with the approval of such redevelopment project and the area selected for the redevelopment project shall include only those parcels of real property and improvements thereon directly and substantially benefited by the proposed redevelopment project improvements;



(2) Make and enter into all contracts necessary or incidental to the implementation and furtherance of its redevelopment plan or project;

(3) Pursuant to a redevelopment plan, subject to any constitutional limitations, acquire by purchase, donation, lease or, as part of a redevelopment project, eminent domain, own, convey, lease, mortgage, or dispose of, land and other property, real or personal, or rights or interests therein, and grant or acquire licenses, easements and options with respect thereto, all in the manner and at such price the municipality or the commission determines is reasonably necessary to achieve the objectives of the redevelopment plan. No conveyance, lease, mortgage, disposition of land or other property, acquired by the municipality, or agreement relating to the development of the property shall be made except upon the adoption of an ordinance by the governing body of the municipality. Each municipality or its commission shall establish written procedures relating to bids and proposals for implementation of the redevelopment projects. Furthermore, no conveyance, lease, mortgage, or other disposition of land or agreement relating to the development of property shall be made without making public disclosure of the terms of the disposition and all bids and proposals made in response to the municipality's request. Such procedures for obtaining such bids and proposals shall provide reasonable opportunity for any person to submit alternative proposals or bids;

(4) Within a redevelopment area, clear any area by demolition or removal of existing buildings and structures;

(5) Within a redevelopment area, renovate, rehabilitate, or construct any structure or building;

(6) Install, repair, construct, reconstruct, or relocate streets, utilities, and site improvements essential to the preparation of the redevelopment area for use in accordance with a redevelopment plan;

(7) Within a redevelopment area, fix, charge, and collect fees, rents, and other charges for the use of any building or property owned or leased by it or any part thereof, or facility therein;

(8) Accept grants, guarantees, and donations of property, labor, or other things of value from a public or private source for use within a redevelopment area;

(9) Acquire and construct public facilities within a redevelopment area;

(10) Incur redevelopment costs and issue obligations;

(11) Make payment in lieu of taxes, or a portion thereof, to taxing districts;

(12) Disburse surplus funds from the special allocation fund to taxing districts as follows:

(a) Such surplus payments in lieu of taxes shall be distributed to taxing districts within the redevelopment area which impose ad valorem taxes on a basis that is proportional to the current collections of revenue which each taxing district receives from real property in the redevelopment area;

(b) Surplus economic activity taxes shall be distributed to taxing districts in the redevelopment area which impose economic activity taxes, on a basis that is proportional to the amount of such economic activity taxes the taxing district would have received from the redevelopment area had tax increment financing not been adopted;

(c) Surplus revenues, other than payments in lieu of taxes and economic activity taxes, deposited in the special allocation fund, shall be distributed on a basis that is proportional to the total receipt of such other revenues in such account in the year prior to disbursement;

(13) If any member of the governing body of the municipality, a member of a commission established pursuant to subsection 2 or 3 of this section, or an employee or consultant of the municipality, involved in the planning and preparation of a redevelopment plan, or redevelopment project for a redevelopment area or proposed redevelopment area, owns or controls an interest, direct or indirect, in any property included in any redevelopment area, or proposed redevelopment area, which property is designated to be acquired or improved pursuant to a redevelopment project, he or she shall disclose the same in writing to the clerk of the municipality, and shall also so disclose the dates, terms, and conditions of any disposition of any such interest, which disclosures shall be acknowledged by the governing body of the municipality and entered upon the minutes books of the governing body of the municipality. If an individual holds such an interest, then that individual shall refrain from any further official involvement in regard to such redevelopment plan, redevelopment project or redevelopment area, from voting on any matter pertaining to such redevelopment plan, redevelopment project or redevelopment area, or communicating with other members concerning any matter pertaining to that redevelopment plan, redevelopment project or redevelopment area. Furthermore, no such member or employee shall acquire any interest, direct or indirect, in any property in a redevelopment area or proposed redevelopment area after either (a) such individual obtains knowledge of such plan or project, or (b) first public notice of such plan, project or area pursuant to section 99.830, whichever first occurs;

(14) Charge as a redevelopment cost the reasonable costs incurred by its clerk or other official in administering the redevelopment project. The charge for the clerk's or other official's costs shall be determined by the municipality based on a recommendation from the commission, created pursuant to this section.

2. Prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, the municipality shall create a commission of nine persons if the municipality is a county or a city not within a county and not a first class county with a charter form of government with

a population in excess of nine hundred thousand, and eleven persons if the municipality is not a county and not in a first class county with a charter form of government having a population of more than nine hundred thousand, and twelve persons if the municipality is located in or is a first class county with a charter form of government having a population of more than nine hundred thousand, to be appointed as follows:

(1) In all municipalities two members shall be appointed by the school boards whose districts are included within the redevelopment plan or redevelopment area. Such members shall be appointed in any manner agreed upon by the affected districts;

(2) In all municipalities one member shall be appointed, in any manner agreed upon by the affected districts, to represent all other districts levying ad valorem taxes within the area selected for a redevelopment project or the redevelopment area, excluding representatives of the governing body of the municipality;

(3) In all municipalities six members shall be appointed by the chief elected officer of the municipality, with the consent of the majority of the governing body of the municipality;

(4) In all municipalities which are not counties and not in a first class county with a charter form of government having a population in excess of nine hundred thousand, two members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(5) In a municipality which is a county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(6) In a municipality which is located in the first class county with a charter form of government having a population in excess of nine hundred thousand, three members shall be appointed by the county of such municipality in the same manner as members are appointed in subdivision (3) of this subsection;

(7) [Effective January 1, 2008, in a municipality which is in a county under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, the municipality shall create a commission in the same manner as the commission for any county with a charter form of government and with more than one million inhabitants, such commission shall have twelve members with two such members appointed by the school boards whose districts are included in the county in a manner in which such school boards agree, with one such member to represent all other districts levying ad valorem taxes in a manner in which all such districts agree, six such members appointed either by the county executive or county commissioner, and three such members appointed by the cities in the county which have tax increment financing districts in a manner in which the cities shall agree;

(8) Effective January 1, 2008, when any city, town, or village under the authority of the East-West Gateway Council of Governments, except any municipality in any county of the first classification with more than ninety-three thousand eight hundred but fewer than ninety-three thousand nine hundred inhabitants, desires to implement a tax increment financing project, such city, town, or village shall first obtain the permission of the county tax increment financing commission created in this subsection within which the city, town, or village is located. In the event such commission votes in opposition to the redevelopment project, such redevelopment project shall not be approved unless at least two-thirds of the governing body of the city, town, or village votes to approve such project;

(9) At the option of the members appointed by the municipality, the members who are appointed by the school boards and other taxing districts may serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan or designation of a redevelopment area is considered for approval by the commission, or for a definite term pursuant to this subdivision. If the members representing school districts and other taxing districts are appointed for a term coinciding with the length of time a redevelopment project, plan or area is approved, such term shall terminate upon final approval of the project, plan or designation of the area by the governing body of the municipality. Thereafter the commission shall consist of the six members appointed by the municipality, except that members representing school boards and other taxing districts shall be appointed as provided in this section prior to any amendments to any redevelopment plans, redevelopment projects or designation of a redevelopment area. If any school district or other taxing jurisdiction fails to appoint members of the commission within thirty days of receipt of written notice of a proposed redevelopment plan, redevelopment project or designation of a redevelopment area, the remaining members may proceed to exercise the power of the commission. Of the members first appointed by the municipality, two shall be designated to serve for terms of two years, two shall be designated to serve for a term of three years and two shall be designated to serve for a term of four years from the date of such initial appointments. Thereafter, the members appointed by the municipality shall serve for a term of four years, except that all vacancies shall be filled for unexpired terms in the same manner as were the original appointments. **Members appointed by the county executive or presiding commissioner prior to August 28, 2008, shall continue their service on the commission established in subsection 3 of this section without further appointment unless the county executive or presiding commissioner appoints a new member or members.**

3. [The commission] **Beginning August 28, 2008:**

(1) **In lieu of a commission created under subsection 2 of this section, any city, town, or village in a county with a charter form of government and with more than one million inhabitants, in a county with a charter form of government and with more than two hundred fifty thousand but fewer than three hundred fifty thousand inhabitants, or in a county of the first classification with more than one hundred eighty-five thousand but fewer than two hundred thousand inhabitants shall, prior to adoption of an ordinance approving the designation of a redevelopment area or approving a redevelopment plan or redevelopment project, create a commission consisting of twelve persons to be appointed as follows:**

(a) **Six members appointed either by the county executive or presiding commissioner; notwithstanding any provision of law to the contrary, no approval by the county's governing body shall be required;**

(b) **Three members appointed by the cities, towns, or villages in the county which have tax increment financing districts in a manner in which the chief elected officials of such cities, towns, or villages agree;**

(c) **Two members appointed by the school boards whose districts are included in the county in a manner in which the school boards agree; and**

(d) **One member to represent all other districts levying ad valorem taxes in the proposed redevelopment area in a manner in which all such districts agree.**

**No city, town, or village subject to this subsection shall create or maintain a commission under subsection 2 of this section, except as necessary to complete a public hearing for which notice under section 99.830 has been provided prior to August 28, 2008, and to vote or make recommendations relating to redevelopment plans, redevelopment projects, or designation of redevelopment areas, or amendments thereto that were the subject of such public hearing;**

(2) **Members appointed to the commission created under this subsection, except those six members appointed by either the county executive or presiding commissioner, shall serve on the commission for a term to coincide with the length of time a redevelopment project, redevelopment plan, or designation of a redevelopment area is considered for approval by the commission. The six members appointed by either the county executive or the presiding commissioner shall serve on all such commissions until replaced. The city, town, or village that creates a commission under this subsection shall send notice thereof by certified mail to the county executive or presiding commissioner, to the school districts whose boundaries include any portion of the proposed redevelopment area, and to the other taxing districts whose boundaries include any portion of the proposed redevelopment area. The city, town, or village that creates the commission shall also be solely responsible for notifying all other cities, towns, and villages in the county that have tax increment financing districts and shall exercise all administrative functions of the commission. The school districts receiving notice from the city, town, or village shall be solely responsible for notifying the other school districts within the county of the formation of the commission. If the county, school board, or other taxing district fails to appoint members to the commission within thirty days after the city, town, or village sends the written notice, as provided herein, that it has convened such a commission or within thirty days of the expiration of any such member's term, the remaining duly appointed members of the commission may exercise the full powers of the commission.**

4. (1) **Any commission created under this section, subject to approval of the governing body of the municipality, may exercise the powers enumerated in sections 99.800 to 99.865, except final approval of plans, projects and designation of redevelopment areas. The commission shall hold public hearings and provide notice pursuant to sections 99.825 and 99.830. [The]**

(2) **Any commission created under subsection 2 of this section shall vote on all proposed redevelopment plans, redevelopment projects and designations of redevelopment areas, and amendments thereto, within thirty days following completion of the hearing on any such plan, project or designation and shall make recommendations to the governing body within ninety days of the hearing referred to in section 99.825 concerning the adoption of or amendment to redevelopment plans and redevelopment projects and the designation of redevelopment areas. The requirements of subsection 2 of this section and this subsection shall not apply to redevelopment projects upon which the required hearings have been duly held prior to August 31, 1991.**

(3) **Any commission created under subsection 3 of this section shall, within fifteen days of the receipt of a redevelopment plan meeting the minimum requirements of section 99.810, as determined by counsel to the city, town, or village creating the commission and a request by the applicable city, town, or village for a public hearing, fix a time and place for the public hearing referred to in section 99.825. The public hearing shall be held no later than seventy-five days from the commission's receipt of such redevelopment plan and request for public hearing. The commission shall vote and make recommendations to the governing body of the city, town, or village requesting the public hearing on all proposed redevelopment plans, redevelopment projects, and designations of**

redevelopment areas, and amendments thereto within thirty days following the completion of the public hearing. If the commission fails to vote within thirty days following the completion of the public hearing referred to in section 99.825 concerning the proposed redevelopment plan, redevelopment project, or designation of redevelopment area, or amendments thereto, such plan, project, designation, or amendment thereto shall be deemed rejected by the commission.

99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing **as required in subsection 4 of section 99.820** and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing; **provided, if the commission is created under subsection 3 of section 99.820, the hearing shall not be continued for more than thirty days beyond the date on which it is originally opened unless such longer period is requested by the chief elected official of the municipality creating the commission and approved by a majority of the commission.** Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Effective January 1, 2008, if, after concluding the hearing required under this section, the commission makes a recommendation under section 99.820 in opposition to a proposed redevelopment plan, redevelopment project, or designation of a redevelopment area, or any amendments thereto, a municipality desiring to approve such project, plan, designation, or amendments shall do so only upon a two-thirds majority vote of the governing body of such municipality.

3. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings."; and

Further amend said bill, Page 57, Section 620.1881, Line 261, by inserting after all of said line the following:

[99.825. 1. Prior to the adoption of an ordinance proposing the designation of a redevelopment area, or approving a redevelopment plan or redevelopment project, the commission shall fix a time and place for a public hearing and notify each taxing district located wholly or partially within the boundaries of the proposed redevelopment area, plan or project. At the public hearing any interested person or affected taxing district may file with the commission written objections to, or comments on, and may be heard orally in respect to, any issues embodied in the notice. The commission shall hear and consider all protests, objections, comments and other evidence presented at the hearing. The hearing may be continued to another date without further notice other than a motion to be entered upon the minutes fixing the time and place of the subsequent hearing. Prior to the conclusion of the hearing, changes may be made in the redevelopment plan, redevelopment project, or redevelopment area, provided that each affected taxing district is given written notice of such changes at least seven days prior to the conclusion of the hearing. After the public hearing but prior to the adoption of an ordinance approving a redevelopment plan or redevelopment project, or

designating a redevelopment area, changes may be made to the redevelopment plan, redevelopment projects or redevelopment areas without a further hearing, if such changes do not enlarge the exterior boundaries of the redevelopment area or areas, and do not substantially affect the general land uses established in the redevelopment plan or substantially change the nature of the redevelopment projects, provided that notice of such changes shall be given by mail to each affected taxing district and by publication in a newspaper of general circulation in the area of the proposed redevelopment not less than ten days prior to the adoption of the changes by ordinance. After the adoption of an ordinance approving a redevelopment plan or redevelopment project, or designating a redevelopment area, no ordinance shall be adopted altering the exterior boundaries, affecting the general land uses established pursuant to the redevelopment plan or changing the nature of the redevelopment project without complying with the procedures provided in this section pertaining to the initial approval of a redevelopment plan or redevelopment project and designation of a redevelopment area. Hearings with regard to a redevelopment project, redevelopment area, or redevelopment plan may be held simultaneously.

2. Tax incremental financing projects within an economic development area shall apply to and fund only the following infrastructure projects: highways, roads, streets, bridges, sewers, traffic control systems and devices, water distribution and supply systems, curbing, sidewalks and any other similar public improvements, but in no case shall it include buildings.]; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Richard, **House Amendment No. 2** was adopted.

Representative Dougherty offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Section 253.550, Page 30, Line 20, by inserting after all of said line the following:

“313.057. 1. It is unlawful for any person, either as an owner, lessee or employee, to operate, carry on, conduct or maintain any form of manufacturing, selling, leasing or distribution of any bingo equipment or supplies without having first procured and maintained a Missouri bingo equipment and supplies manufacturer or supplier license.

2. The commission shall submit two sets of fingerprints for each key person, as defined in commission rules and regulations, of an entity or organization seeking issuance or renewal of a Missouri bingo equipment and supplies manufacturer or supplier license, for the purpose of checking the person's prior criminal history when the commission determines a nationwide check is warranted. The fingerprint cards and any required fees shall be sent to the Missouri state highway patrol's criminal records division. The first set of fingerprints shall be used for searching the state repository of criminal history information. The second set of fingerprints shall be forwarded to the Federal Bureau of Investigation, Identification Division, for the searching of the federal criminal history files. The patrol shall notify the commission of any criminal history information or lack of criminal history information discovered on the individual. Notwithstanding the provisions of section 610.120, RSMo, all records related to any criminal history information discovered shall be accessible and available to the commission.

3. The holder of a state bingo license may, within two years of cessation of conducting bingo or upon specific approval by the commission, dispose of by sale in a manner approved by the commission, any or all of his bingo equipment and supplies, without a supplier's license. In case of foreclosure of a lien by a bank or other person holding a security interest for which bingo equipment is security in whole or in part for the lien, the commission may authorize the disposition of the bingo equipment without requiring a supplier's license.

4. Any person whom the commission determines to be a suitable person to receive a license pursuant to the provisions of this section may be issued a manufacturer's or supplier's license. The commission may require suppliers to post a bond with the commission in an amount and in the manner prescribed by the commission. The burden of proving his qualification to receive or hold a license pursuant to this section is at all times on the applicant or licensee.

5. The commission shall charge and collect from each applicant for a supplier's license a one-time application fee set by the commission, not to exceed five thousand dollars. The commission shall charge and collect an annual renewal fee for each supplier licensee not to exceed one thousand dollars.

6. The commission shall charge and collect from each applicant for a manufacturer's license a one-time application fee set by the commission, not to exceed one thousand dollars. The commission shall charge and collect an annual renewal fee for each manufacturer licensee not to exceed five hundred dollars.

7. The commission shall charge and collect from each applicant for a hall provider's license a one-time application fee set by the commission, not to exceed seven hundred fifty dollars. The commission shall charge and collect an annual renewal fee for each hall provider licensee not to exceed five hundred dollars.

8. All licenses issued pursuant to this section shall be issued for the calendar year and shall expire on December thirty-first of each year. Regardless of the date of application or issuance of the license, the fee to be charged and collected pursuant to this section shall be the full annual fee.

9. All license fees collected pursuant to this section shall be paid over immediately to the state treasurer to be deposited to the credit of the gaming commission bingo fund.

10. All licensees pursuant to this section shall maintain for a period of not less than three years full and complete records of all business carried on in this state and shall make same available for inspection to any duly authorized representative of the commission. If a supplier does not receive payment in full from an organization within thirty days of the delivery of bingo supplies, the supplier shall notify the commission in writing, or in a manner specified by the commission in its rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the commission shall notify all suppliers that until further notice from the commission, all sales of bingo supplies to the delinquent organizations shall be on a cash-only basis. Upon receipt of the notice from the commission, no supplier may extend credit to the delinquent organization until such time as the commission approves credit sales. If a manufacturer does not receive payment in full from a supplier within ninety days of the delivery of bingo supplies, the manufacturer shall notify the commission in writing, or in a manner specified by the commission in its rules and regulations, of the delinquency. Upon receipt of the notice of delinquency, the commission shall notify all manufacturers that until further notice from the commission, all sales of bingo supplies to the delinquent supplier shall be on a cash-only basis. Upon receipt of the notice from the commission, no manufacturer may extend credit to the delinquent supplier until such time as the commission approves credit sales.

11. [Until January 1, 1995, all suppliers shall pay a tax on all pull-tab cards distributed by them in the amount of ten dollars per box when sold by any organization licensed to conduct bingo pursuant to the provisions of sections 313.005 to 313.080. No box sold shall contain more than twenty-four hundred pull-tab cards. Beginning January 1, 1995, a tax is hereby imposed in the amount of two percent of the gross receipts of the retail sales value charged for each pull-tab card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, if timely filed and paid, shall be paid on a monthly basis to the commission by each supplier of pull-tabs and shall be due on the last day of each month following the month in which the pull-tabs were sold. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund.] All pull-tab cards sold by suppliers in this state shall bear on the face thereof the amount for which such pull-tab cards will be sold, and the license number of the supplier shall be printed on the inventory statement commonly called the flare, enclosed in each unit container. Each unit container shall contain cards printed in such a manner as to ensure that at least sixty percent of the gross revenues generated by the ultimate sale of such cards shall be returned to the final purchasers of such cards. [Any supplier who fails to pay the tax imposed pursuant to this subsection shall have his license issued pursuant to this section revoked and shall be guilty of a class A misdemeanor.]; and

Further amend said bill, Section 620.1881, Page 59, Line 260, by inserting after all of said line the following:

“[313.055. 1. A tax is hereby imposed on each organization conducting the game of bingo which awards to winners of bingo games prizes or merchandise having an aggregate retail value of more than five thousand dollars annually and more than one hundred dollars in any single day. The tax shall be in the amount of two-tenths of one cent upon each bingo card and progressive bingo game card sold in Missouri to be paid by the supplier. The taxes, less two percent of the total amount paid which may be retained by the supplier, shall be paid on a monthly basis to the commission, by each supplier of bingo supplies and shall be due on the last day of the month following the month in which the bingo card was sold, with the date of sale being the date on the invoice evidencing the sale, along with such reports as may be required by the commission. The taxes shall be deposited in the state treasury, credited to the bingo proceeds for education fund.

2. All taxes not paid to the commission by the person or licensee required to remit the same on the date when the same becomes due and payable to the commission under the provisions of sections 313.005 to 313.085 shall bear interest at the rate to be set by the commission not to exceed two percent per calendar month, or fraction thereof, from and after such date until paid. In addition, the commission may impose a penalty not to exceed three times the amount of taxes due for failure to submit the reports required by this section and pay the taxes due.]; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Dougherty, **House Amendment No. 3** was adopted.

Representative Wilson (119) offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Section 135.682, Page 12, Line 35, by inserting after all of said line the following:

- "135.903. 1. To qualify as a rural empowerment zone, an area shall meet all the following criteria:
- (1) The area is one of pervasive poverty, unemployment, and general distress;
  - (2) At least sixty-five percent of the population has earned income below eighty percent of the median income of all residents within the state according to the last decennial census or other appropriate source as approved by the director;
  - (3) The population of the area is at least four hundred but not more than three thousand five hundred at the time of designation as a rural empowerment zone;
  - (4) The level of unemployment of persons, according to the most recent data available from the division of employment security or from the United States Bureau of Census and approved by the director, within the area exceeds one and one-half times the average rate of unemployment for the state of Missouri over the previous twelve months, or the percentage of area residents employed on a full-time basis is less than fifty percent of the statewide percentage of residents employed on a full-time basis;
  - (5) The area is situated more than ten miles from any existing rural empowerment zone;
  - (6) The area is situated in [a county of the third classification without a township form of government and with more than eight thousand nine hundred twenty-five but less than nine thousand twenty-five] **any county with eighteen thousand or fewer** inhabitants; and
  - (7) The area is not situated in an existing enterprise zone.
2. The governing body of any county in which an area may be designated a rural empowerment zone shall submit to the department an application showing that the area complies with the requirements of subsection 1 of this section. The department shall declare the area a rural empowerment zone if upon investigation the department finds that the area meets the requirements of subsection 1 of this section. If the area is found not to meet the requirements, the governing body shall have the opportunity to submit another application for designation as a rural empowerment zone and the department shall designate the area a rural empowerment zone if upon investigation the department finds that the area meets the requirements of subsection 1 of this section.
3. There shall be no more than two rural empowerment zones **per county** as created under sections 135.900 to 135.906 in existence at any time."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Wallace offered **House Amendment No. 1 to House Amendment No. 4**.

*House Amendment No. 1*  
*to*  
*House Amendment No. 4*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Section 348.274, Page 35, Line 135, by inserting after all of said line the following:

"407.1240. As used in sections 407.1240 to 407.1252, the following terms shall mean:

- (1) "Business day", every day except Sundays and holidays;
- (2) "Holiday", any day that the United States Post Office is closed;
- (3) "Membership fee", the initial or reoccurring fee that is unrelated to actual pass-through costs associated with the use and enjoyment of travel benefits;

(4) "Rescission statement", a statement that shall be printed on all contracts pertaining to the purchase of travel club memberships from a travel club that shall provide in at least fourteen-point bold type the following statement:

"Assuming you have [not accessed any travel benefits and have] returned to the travel club all materials delivered to the purchaser at closing, you have the right to rescind this transaction for a period of three business days after the date of this agreement. To exercise the right of rescission, you must deliver to the travel club, either in person or by first class mail postmarked within the three-business-day period, at the address referenced in this contract, a written statement of your desire to rescind this transaction, and all materials **of value** that were provided and given to you at the time of the purchase of your travel club membership.";

(5) "Surety bond", any surety bond, corporate guaranty, letter of credit, certificate of deposit, or other bond or financial assurance in the sum of fifty thousand dollars that is required to be delivered by travel clubs which have been adjudged to have violated subsection 4 or 5 of section 407.1252 and in the event that such surety bond is accessed subsequent to posting as a result of the need to reimburse purchasers, the amount of the surety bond shall be increased by ten thousand dollars per reimbursement. All surety bonds shall:

(a) Serve as a source of funds to reimburse purchasers of travel club memberships who validly exercise their rights under the rescission statement in their contract but who are not, after judgment, provided a refund equal to the purchase price of their unused travel club memberships or, after settlement, equal to the terms of the settlement;

(b) Serve as a source of funds to reimburse purchasers of travel club memberships who have been proven to be the subject of fraud;

(c) Remain in full force and effect during the period of time the travel club conducts its business activities; and

(d) Be deemed acceptable to the attorney general if:

a. It is issued by an insurance company that possesses at least a "B+" rating, or its equivalent by A.M. Best or its successors or by any other nationally recognized entity that rates the creditworthiness of insurance companies;

b. It is in the form of a letter of credit that is issued by a banking institution with assets of at least seventy-five million dollars;

c. It is in the form of a certificate of deposit; or

d. It is in a form that otherwise is acceptable to the attorney general;

(6) "Travel benefits", benefits that are offered to travel club purchasers and customers that include all forms of overnight resort, condominium, time-share, hotel, motel, and other rental housing of every nature; all forms of air travel and rental car access; all forms of cruise line access; and all other forms of discounted travel benefits of every nature;

(7) "Travel club", any business enterprise that either directly, indirectly, or through the use of a fulfillment company or other third party offers to sell to the public the reoccurring right to purchase travel benefits at prices that are represented as being discounted from prices otherwise not generally available to the public and charges members or customers a membership fee that collectively equals no less than seven hundred fifty dollars.

407.1249. Assuming a purchaser [has not otherwise accessed any travel benefits and] returns to the travel club all materials of value delivered to the purchaser at closing, all purchasers of travel club memberships from a travel club that is registered shall have the nonwaivable right for a period of three business days after the date of their purchase to rescind and cancel their travel club purchase and receive a full refund of all sums otherwise paid to the travel club within fifteen business days of such rescission, minus the actual and reasonable cost of processing the refund, including credit card fees if applicable. **Use of travel club benefits during such rescission period shall not waive the right afforded by this section.** Individuals who purchase travel club memberships from a travel club that is not registered under sections 407.1240 to 407.1252 shall have a nonwaivable right for a period of three years from the date of purchase to



rescind and cancel their travel club membership and shall receive a full refund within fifteen business days of such rescission."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wallace, **House Amendment No. 1 to House Amendment No. 4** was adopted.

On motion of Representative Wilson (119), **House Amendment No. 4, as amended**, was adopted.

Representative Ruestman offered **House Amendment No. 5**.

*House Amendment No. 5*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Section 135.562, Page 11, Line 50, by inserting after all of said line the following:

"135.610. 1. For all tax years beginning on or after January 1, 2008, any taxpayer who is a volunteer firefighter with a registered fire department in this state shall be allowed a credit against the tax otherwise due under chapter 143, RSMo, excluding withholding tax imposed by sections 143.191 to 143.265, RSMo.

2. The credit authorized in this section shall be claimed as follows:

(1) The taxpayer may claim a credit in the amount of one hundred eighty dollars in the first tax year the taxpayer claims the credit if the taxpayer has completed at least twelve hours of any firefighter training program approved by the office of the state fire marshal in the tax year for which the credit is claimed. The taxpayer may claim the credit authorized in this subdivision in each subsequent tax year if the taxpayer completes at least twelve hours of any firefighter training program approved by the office of the state fire marshal in such subsequent tax year;

(2) After the initial tax credit is claimed under subdivision (1) of this subsection and the taxpayer has completed the Basic Fire Fighter program or been certified after completing the Fire Fighter I or Fire Fighter II program by the division of fire safety for a minimum of thirty-six hours, the taxpayer may claim a credit in the amount of three hundred sixty dollars in each tax year if the taxpayer has completed at least twelve hours of firefighter training program approved by the office of the state fire marshal in the tax year the taxpayer claims the credit under this subdivision.

3. The state fire marshal may develop or approve existing training programs for volunteer firefighters, may establish procedures for providing documentation that the taxpayer is a volunteer firefighter in good standing with a registered fire department, as required in chapter 320, RSMo, and has completed the training requirements in this section, and may promulgate rules to implement the provisions of this section.

4. The tax credit allowed by this section shall be claimed by the qualified taxpayer at the time such taxpayer files a return and shall be applied against the income tax liability imposed by chapter 143, RSMo, after all other credits provided by law have been applied. If the amount of the tax credit exceeds the taxpayer's tax liability, the difference shall not be refundable but may be carried forward to any of the taxpayer's four subsequent taxable years.

5. The director of revenue shall establish the procedure by which the tax credit in this section may be claimed, and shall promulgate rules to implement the provisions of this section.

6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

7. Pursuant to section 23.253, RSMo, of the Missouri Sunset Act:

(1) **The provisions of the new program authorized under this section shall automatically sunset six years after the effective date of this section unless reauthorized by an act of the general assembly; and**

(2) **If such program is reauthorized, the program authorized under this section shall automatically sunset twelve years after the effective date of the reauthorization of this section; and**

(3) **This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset."**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Ruestman, **House Amendment No. 5** was adopted.

Representative Scavuzzo offered **House Amendment No. 6**.

*House Amendment No. 6*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Section 67.1545, Page 6, Line 55, by inserting after all of said section and line:

"94.900. 1. The governing body of any city of the third classification with more than ten thousand eight hundred but less than ten thousand nine hundred inhabitants located at least partly within a county of the first classification with more than one hundred eighty-four thousand but less than one hundred eighty-eight thousand inhabitants, **or any city of the fourth classification with more than eight thousand nine hundred but fewer than nine thousand inhabitants**, is hereby authorized to impose, by ordinance or order, a sales tax in the amount of up to one-half of one percent on all retail sales made in such city which are subject to taxation under the provisions of sections 144.010 to 144.525, RSMo, for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized by this section shall be in addition to any and all other sales taxes allowed by law, except that no ordinance or order imposing a sales tax pursuant to the provisions of this section shall be effective unless the governing body of the city submits to the voters of the city, at a county or state general, primary or special election, a proposal to authorize the governing body of the city to impose a tax.

2. If the proposal submitted involves only authorization to impose the tax authorized by this section, the ballot of submission shall contain, but need not be limited to, the following language:

Shall the city of ..... (city's name) impose a citywide sales tax of ..... (insert amount) for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "Yes". If you are opposed to the question, place an "X" in the box opposite "No".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal submitted pursuant to this subsection, then the ordinance or order and any amendments thereto shall be in effect on the first day of the second **calender** quarter [immediately following the election approving the proposal] **after the director of revenue receives notification of adoption of the local sales tax**. If a proposal receives less than the required majority, then the governing body of the city shall have no power to impose the sales tax herein authorized unless and until the governing body of the city shall again have submitted another proposal to authorize the governing body of the city to impose the sales tax authorized by this section and such proposal is approved by the required majority of the qualified voters voting thereon. However, in no event shall a proposal pursuant to this section be submitted to the voters sooner than twelve months from the date of the last proposal pursuant to this section.

3. All revenue received by a city from the tax authorized under the provisions of this section shall be deposited in a special trust fund and shall be used solely for improving the public safety for such city for so long as the tax shall remain in effect.

4. Once the tax authorized by this section is abolished or is terminated by any means, all funds remaining in the special trust fund shall be used solely for improving the public safety for the city. Any funds in such special trust fund which are not needed for current expenditures may be invested by the governing body in accordance with applicable laws relating to the investment of other city funds.

5. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created [in the state treasury], to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director of the department of revenue shall keep accurate records of the amount of money in the trust and which was collected in each city imposing a sales tax pursuant to this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director of the department of revenue shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax; such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters.

6. The director of the department of revenue may [authorize the state treasurer to] make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the department of revenue of the action at least ninety days prior to the effective date of the repeal and the director of the department of revenue may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director of the department of revenue shall remit the balance in the account to the city and close the account of that city. The director of the department of revenue shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed pursuant to this section.

94.902. 1. The governing body of any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants, **or any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants**, may impose, by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation under chapter 144, RSMo. The tax authorized in this section may be imposed in an amount of up to one-half of one percent, and shall be imposed solely for the purpose of improving the public safety for such city, including but not limited to expenditures on equipment, city employee salaries and benefits, and facilities for police, fire and emergency medical providers. The tax authorized in this section shall be in addition to all other sales taxes imposed by law, and shall be stated separately from all other charges and taxes. The order or ordinance imposing a sales tax under this section shall not become effective unless the governing body of the city submits to the voters residing within the city, at a county or state general, primary, or special election, a proposal to authorize the governing body of the city to impose a tax under this section.

2. The ballot of submission for the tax authorized in this section shall be in substantially the following form:

Shall the city of ..... (city's name) impose a citywide sales tax at a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed to the question, place an "X" in the box opposite "NO".

If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance or order and any amendments to the order or ordinance shall become effective on the first day of the second calendar quarter after the director of revenue receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become effective unless the proposal is resubmitted under this section to the qualified voters and such proposal is approved by a majority of the qualified voters voting on the proposal. However, in no event shall a proposal under this section be submitted to the voters sooner than twelve months from the date of the last proposal under this section.

3. Any sales tax imposed under this section shall be administered, collected, enforced, and operated as required in section 32.087, RSMo. All sales taxes collected by the director of the department of revenue under this section on behalf of any city, less one percent for cost of collection which shall be deposited in the state's general revenue fund after

payment of premiums for surety bonds as provided in section 32.087, RSMo, shall be deposited in a special trust fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall not be commingled with any funds of the state. The provisions of section 33.080, RSMo, to the contrary notwithstanding, money in this fund shall not be transferred and placed to the credit of the general revenue fund. The director shall keep accurate records of the amount of money in the trust **fund** and which was collected in each city imposing a sales tax under this section, and the records shall be open to the inspection of officers of the city and the public. Not later than the tenth day of each month the director shall distribute all moneys deposited in the trust fund during the preceding month to the city which levied the tax. Such funds shall be deposited with the city treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by an appropriation act to be enacted by the governing body of each such city. Expenditures may be made from the fund for any functions authorized in the ordinance or order adopted by the governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the special trust fund shall continue to be used solely for the designated purposes. Any funds in the special trust fund which are not needed for current expenditures shall be invested in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

4. The director of the department of revenue may authorize the state treasurer to make refunds from the amounts in the trust fund and credited to any city for erroneous payments and overpayments made, and may redeem dishonored checks and drafts deposited to the credit of such cities. If any city abolishes the tax, the city shall notify the director of the action at least ninety days before the effective date of the repeal, and the director may order retention in the trust fund, for a period of one year, of two percent of the amount collected after receipt of such notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and drafts deposited to the credit of such accounts. After one year has elapsed after the effective date of abolition of the tax in such city, the director shall remit the balance in the account to the city and close the account of that city. The director shall notify each city of each instance of any amount refunded or any check redeemed from receipts due the city.

5. The governing body of any city that has adopted the sales tax authorized in this section may submit the question of repeal of the tax to the voters on any date available for elections for the city. The ballot of submission shall be in substantially the following form:

Shall ..... (insert the name of the city) repeal the sales tax imposed at a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of the city?

☐ YES

☐ NO

If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the sales tax authorized in this section shall remain effective until the question is resubmitted under this section to the qualified voters, and the repeal is approved by a majority of the qualified voters voting on the question.

6. Whenever the governing body of any city that has adopted the sales tax authorized in this section receives a petition, signed by ten percent of the registered voters of the city voting in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If a majority of the votes cast on the question by the qualified voters voting thereon are in favor of the repeal, that repeal shall become effective on December thirty-first of the calendar year in which such repeal was approved. If a majority of the votes cast on the question by the qualified voters voting thereon are opposed to the repeal, then the tax shall remain effective until the question is resubmitted under this section to the qualified voters and the repeal is approved by a majority of the qualified voters voting on the question.

7. Except as modified in this section, all provisions of sections 32.085 and 32.087, RSMo, shall apply to the tax imposed under this section."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Scavuzzo, **House Amendment No. 6** was adopted.

Speaker Jetton resumed the Chair.

Representative Meiners offered **House Amendment No. 7**.

*House Amendment No. 7*

AMEND House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, Page 30, Section 253.550, Line 20, by inserting after all of said line the following:

**"311.489. 1. A permit for the sale of intoxicating liquor as defined in section 311.020, and nonintoxicating beer as defined in section 312.010, RSMo, for consumption on premises where sold, and to conduct specified festival events, may be issued to any festival district, located in any home rule city with more than four hundred thousand inhabitants and located in more than one county, that includes three or more businesses that are licensed bars, nightclubs, restaurants, or other entertainment venues and a common area where a pedestrian access is controlled and that is closed to vehicle traffic, provided that the permit is held by a promotional association. A "promotional association" is defined as an entity formed by property owners who own or operate fifty percent or more of the square feet of bars, nightclubs, restaurants, and other entertainment venues located within the proposed district.**

**2. The promotional association may obtain a permit if the promotional association submits a plan to the governing body of the city containing basic information, which includes the legal description of the district and the common area within which such festivals shall be held, the name, address, and responsible person of each business participating in the promotional association, the specific calendar of events for the district which shall not exceed twenty such events and shall include the dates and times of any such events, a description of the proposed festival activities including any proposed public street closures if applicable, proof of adequate insurance, and a detailed description of security for any proposed festivals. Such permit shall cost three hundred dollars per year. Such plan may be amended during the year subject to governing municipality approval.**

**3. Prior to submitting a plan to the governing body of the city, the promotional association shall provide notice of its intent to apply for a festival district permit and conduct a public hearing on the plan. If any business owner, property owner, or resident within the boundaries of the common area of the event do not approve in the public hearing of any proposed event, or the proposed plan of events, the promotional association shall obtain written approval of such event or plan from seventy-five percent of the property owners, business owners, and residents within the district. If the plan is approved, the promotional association may conduct the events described in the plan and may sell liquor for consumption within the district common areas between 9:00 a.m. and 1:00 a.m. on Monday through Saturday and between 11:00 a.m. and 12:00 a.m. on Sunday and in accordance with any additional time constraints stated in such plan. Such promotional association may permit customers to leave an establishment within the district after purchasing an alcoholic beverage and consume the beverage in the district common areas or another licensed establishment within the district. No person shall be allowed to take any alcoholic beverage outside the boundaries of the festival district.**

**4. If participating in a promotional association event, every bar, nightclub, restaurant, promotional association, or other entertainment venue that serves alcoholic beverages within the festival district shall use disposable paper, plastic, or foam cups or other light-weight containers for all alcoholic beverages that the bar, nightclub, restaurant, promotional association, or other entertainment venue sells within the festival district boundaries for consumption in the district common area.**

**5. If minors are allowed to enter the festival district, which shall be clearly stated in the festival district's approved plan, the applicant shall ensure that such minors are easily distinguished from persons of legal age and any approved plan shall include the method by which this provision shall be satisfied.**

**6. The holder of the permit is solely responsible for any alcohol violations occurring within the common areas. For any violation of this chapter or of any rule or regulation of the supervisor of alcohol and tobacco control, the promotional association may be assessed a civil fine of not more than five thousand dollars. If a promotional association is found to be responsible for such violations at three separate events, then such promotional association shall not seek approval for subsequent plans without the prior written consent of the supervisor of alcohol and tobacco control. The promotional association's then current plan shall be deemed terminated, and the businesses participating in the promotional association's events shall not participate in activities permitted by subsection 3 of this section without prior written consent from the supervisor of alcohol and tobacco control."; and**

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Meiners, **House Amendment No. 7** was adopted.

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Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Roorda
Rucker	Scavuzzo	Schieffer	Shively	Skaggs
Storch	Swinger	Talboy	Villa	Vogt
Walsh	Walton	Wildberger	Witte	Wright-Jones
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper 120	El-Amin	Harris 23	Haywood	Meadows
Quinn 9	Robinson	Salva	Schoemehl	Spreng
Threlkeld	Todd	Whorton		

VACANCIES: 002

On motion of Representative Pearce, **HCS#2 SS SCS SB 718, as amended**, was adopted.

On motion of Representative Pearce, **HCS#2 SS SCS SB 718, as amended**, was read the third time and passed by the following vote:

AYES: 131

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Lampe	Lembke	LeVota	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Young	Zweifel
Mr Speaker				

NOES: 020

Bringer	Dethrow	Frame	George	Harris 110
Kraus	Kuessner	Liese	Low 39	Lowe 44
Muschany	Oxford	Sander	Schieffer	Shively
Skaggs	Vogt	Yaeger	Yates	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 010

Burnett	Cooper 120	El-Amin	Harris 23	Haywood
Meadows	Robinson	Schoemehl	Spreng	Whorton

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 129

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	LeVota	Lipke	Loehner
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Talboy	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Walsh	Walton
Wells	Weter	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 020

Burnett	Dethrow	Frame	George	Harris 110
Hughes	Johnson	Kuessner	Liese	Low 39
Lowe 44	Sander	Schieffer	Shively	Skaggs
Swinger	Todd	Villa	Vogt	Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 012

Baker 123	Bringer	El-Amin	Harris 23	Haywood
Meadows	Nolte	Robinson	Schoemehl	Spreng
Wasson	Whorton			

VACANCIES: 002

**HCS SCS SB 1170**, relating to school construction and leases, was taken up by Representative Swinger.

Representative Smith (14) assumed the Chair.

Representative Nolte offered **House Amendment No. 1**.



House Amendment No. 1

AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1170, Section 177.088, Page 6, Line 80, by inserting after all of said line the following:

**"12. Notwithstanding provisions of this section to the contrary, the board of education of any school district located within a county of the first classification with more than one hundred eighty-four thousand but fewer than one hundred eighty-eight thousand inhabitants may enter into agreements with such county, or a city, town, or village wholly or partially located within the boundaries of such school district, in order to provide for the acquisition, construction, improvement, extension, repair, remodeling, renovation, and financing of sites, buildings, facilities, furnishings, and equipment for the use of the school district for educational purposes. Such an agreement may provide for the present or future acquisition of an ownership interest in such facilities by the school district, by lease, lease purchase agreement, option to purchase agreement, or similar provisions, and may provide for a joint venture between the school district and other entity or entities that are parties to such an agreement providing for the sharing of the costs of acquisition, construction, repair, maintenance, and operation of such facilities. The school district may wholly own such facilities, or may acquire a partial ownership interest along with the county, city, town, or village with which the agreement was executed. Notwithstanding the provisions of subsection 11 of this section, the school district may expend funds from its general or incidental funds to satisfy its obligations for rent, lease payments, construction, improvements, maintenance, repairs, and operation of such facilities, and may acquire an ownership interest in such facilities, without being subject to the deductions from funds payable to the district under section 163.031, RSMo."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pollock	Portwood	Pratt	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schoeller
Self	Silvey	Smith 14	Smith 150	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 058

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo

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Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Talboy	Todd
Villa	Walsh	Walton	Wildberger	Witte
Yaeger	Zimmerman	Zweifel		

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 016

Corcoran	Dixon	El-Amin	Harris 23	Haywood
Meadows	Pearce	Quinn 7	Robinson	Schneider
Spreng	Stevenson	Vogt	Whorton	Wright-Jones
Young				

VACANCIES: 002

Speaker Jetton resumed the Chair.

Representative Witte raised a point of order that the previous Speaker did not restate the motion properly.

The Chair ruled the point of order not well taken.

On motion of Representative Nolte, **House Amendment No. 1** was adopted.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Yates	Mr Speaker			

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper 120	Corcoran	El-Amin	Harris 23	Haywood
Hunter	Meadows	Robinson	Schneider	Spreng
Whorton	Wright 159	Wright-Jones	Young	

VACANCIES: 002

On motion of Representative Swinger, **HCS SCS SB 1170, as amended**, was adopted.

On motion of Representative Swinger, **HCS SCS SB 1170, as amended**, was read the third time and passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hunter	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock

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Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Zweifel	Mr Speaker		

NOES: 012

Bringer	Chappelle-Nadal	Cooper 120	Darrough	Ervin
Flook	George	Kraus	LeVota	Talboy
Yates	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 011

El-Amin	Harris 23	Haywood	Hughes	Low 39
Meadows	Parson	Robinson	Spreng	Whorton
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Frame	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Hodges
Holsman	Hoskins	Hughes	Hunter	Ice
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Chappelle-Nadal      Flook      LeVota      Low 39

PRESENT: 001

George

ABSENT WITH LEAVE: 011

El-Amin	Harris 23	Haywood	Hobbs	Hubbard
Marsh	Meadows	Robinson	Spreng	Whorton
Young				

VACANCIES: 002

### SIGNING OF HOUSE BILL

All other business of the House was suspended while **SS SCS HCS HB 2393** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **SS SCS HCS HB 2393** was delivered to the Governor by the Chief Clerk of the House.

### SIGNING OF SENATE BILL

All other business of the House was suspended while **HCS SCS SBs 1034 & 802** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to recede from its position on **SS HCS HBs 1549, 1771, 1395 & 2366, as amended**, and grants the House a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SB 976, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### BILL CARRYING REQUEST MESSAGE

**HCS#2 SCS SB 976**, relating to judicial personnel and procedures, was taken up by Representative Stevenson.

Representative Stevenson moved that the House refuse to recede from its position on **HCS#2 SB 976, as amended**, and grant the Senate a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILL

**HCS#2 SCS SB 781**, relating to landlord-tenant actions, was taken up by Representative Stevenson.

Representative Stevenson offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 781, Page 6, Section 441.065, Line 23, by inserting after the word "**reasonable**", the following:

**"and good faith";** and

Further amend said bill, Page 6, Section 441.645, Line 6, by inserting after the word "**section**", the following:

**"; however, any contract assigning the duty to pay rent after such residence is destroyed shall not be enforceable if the court determines such contract to be unconscionable";** and

Further amend said bill, Page 8, Section 535.030, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

"2. In addition to attempted personal service, the plaintiff, [may request, and thereupon the clerk of the court shall make an order directing that the] officer, or other person empowered to execute the summons, [shall] **may** also serve the same by securely affixing a copy of such summons"; and

Further amend said bill, Page 9, Section 535.030, Line 29, by inserting after the word "plaintiff", the words "**officer, or other persons empowered to execute the summons,**"; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Jones (89) offered **House Amendment No. 1 to House Amendment No. 1**.

#### *House Amendment No. 1*

*to*

#### *House Amendment No. 1*

AMEND House Amendment No. 1 to House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 781, Page 1, Line 18, by inserting after all of said line, the following:

Further amend said bill, Page 10, Section 535.040, Line 21, by inserting before the word "**Neither**", the following:

**"Except for willful, wanton, or malicious acts or omissions,"**; and ' and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Jones (89), **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 074

Baker 123	Bivins	Brandom	Brown 30	Bruns
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Denison	Dixon	Donnelly
Dusenberg	Emery	Ervin	Fallert	Fisher
Flook	Franz	Funderburk	Grisamore	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Lembke	Low 39	Marsh
May	McClanahan	Munzlinger	Muschany	Nance
Nasheed	Nieves	Onder	Parkinson	Parson
Portwood	Pratt	Quinn 7	Richard	Ruestman
Schaaf	Schad	Scharnhorst	Schlottach	Self
Silvey	Smith 14	Stevenson	St. Onge	Storch
Stream	Swinger	Thomson	Threlkeld	Tilley
Wasson	Wells	Weter	Wilson 130	Witte
Wright 159	Yates	Zimmerman	Mr Speaker	

NOES: 069

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Curls	Daus	Deeken	Dethrow
Dougherty	Faith	Fares	Frame	Grill
Guest	Harris 110	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kraus
Kuessner	Lampe	LeVota	Liese	Lipke
Loehner	Lowe 44	McGhee	Meadows	Meiners
Moore	Norr	Oxford	Page	Pearce
Pollock	Quinn 9	Robb	Roorda	Rucker
Ruzicka	Sander	Sater	Scavuzzo	Schieffer
Schneider	Schoeller	Schoemehl	Shively	Skaggs
Smith 150	Talboy	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Whorton
Wilson 119	Wood	Yaeger	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 25	Cooper 120	Corcoran	Darrough
El-Amin	George	Harris 23	Haywood	Johnson
Nolte	Robinson	Salva	Spreng	Sutherland
Wildberger	Wright-Jones	Young		

VACANCIES: 002

**HCS#2 SCS SB 781, with House Amendment No. 1, as amended, pending,** was laid over.

### **APPOINTMENT OF CONFERENCE COMMITTEES**

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SS HCS HBs 1549, 1771, 1395 & 2366:** Representatives Onder, Nolte, Nieves, Talboy and Wildberger  
**HCS#2 SB 976:** Representatives Stevenson, Jones (89), Cox, Burnett and Bringer

On motion of Representative Tilley, the House recessed until 7:30 p.m.

### **EVENING SESSION**

The hour of recess having expired, the House was called to order by Speaker Pro Tem Pratt.

### **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3097 through House Resolution No. 3128

### **COMMITTEE REPORTS**

**Committee on Rules**, Chairman Cooper (120) reporting:

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SS SCS SB 726**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **HCS SCS SB 767**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 865**, begs leave to report it has examined the same and recommends that it **Do Pass**.

Mr. Speaker: Your Committee on Rules, to which was referred **SCS SB 1185**, begs leave to report it has examined the same and recommends that it **Do Pass**.

### **REFERRAL OF SENATE BILLS**

The following Senate Bills were referred to the Committee indicated:

**HCS SS SCS SB 726** - Fiscal Review (Fiscal Note)

**HCS SS SB 817** - Fiscal Review (Fiscal Note)



(REVISED)

# SUPPLEMENTAL CALENDAR

MAY 15, 2008

## SENATE BILLS FOR THIRD READING

HCS SS SCS SB 726, (Fiscal Review 5-15-08) - Franz  
HCS SS SB 817, (Fiscal Review 5-15-08) - Wilson (130)  
SCS SB 865 - Scharnhorst

## SENATE CONCURRENT RESOLUTION

SCR 35, (5-6-08, Page 1349) - Quinn (7)

## SENATE CONCURRENT RESOLUTION

**SCR 29**, relating to USDA rice reporting dates, was taken up by Representative Wright.

On motion of Representative Wright, **SCR 29** was adopted by the following vote:

AYES: 136

Aull	Baker 25	Bivins	Brandom	Bringer
Brown 30	Bruns	Burnett	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

1817 *Journal of the House*

NOES: 004

Flook                      Holsman                      Lembke                      Talboy

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Baker 123	Bland	Brown 50	Casey
Cooper 120	Dougherty	El-Amin	Emery	Harris 23
Hughes	Hunter	Johnson	May	Meadows
Meiners	Robinson	Schneider	Spreng	Walton
Young				

VACANCIES: 002

**THIRD READING OF SENATE BILL**

**HCS#2 SCS SB 781, with House Amendment No. 1, as amended, pending,** relating to landlord tenant actions, was again taken up by Representative Stevenson.

Representative Jones (89) assumed the Chair.

Representative Yates offered **House Substitute Amendment No. 1 for House Amendment No. 1, as amended.**

*House Substitute Amendment No. 1  
for  
House Amendment No. 1*

AMEND House Committee Substitute No. 2 for Senate Committee Substitute for Senate Bill No. 781, Page 6, Section 441.065, Line 23, by inserting after the word "**reasonable**", the following:

**"and good faith"; and**

Further amend said bill, Page 6, Section 441.645, Line 6, by inserting after the word "**section**", the following:

**"; however, any contract assigning the duty to pay rent after such residence is destroyed shall not be enforceable if the court determines such contract to be unconscionable"; and**

Further amend said bill, Page 8, Section 535.030, Lines 1-4, by deleting all of said lines and inserting in lieu thereof the following:

"535.030. 1. Such summons shall be served as in other civil cases at least four days before the court date in the summons. The summons shall include a court date which shall not be more than twenty-one business days from the date the summons is issued"; and

Further amend said bill, Page 8, Section 535.030, Lines 7-9, by deleting all of said lines and inserting in lieu thereof the following:

"2. In addition to attempted personal service, the plaintiff, [may request, and thereupon the clerk of the court shall make an order directing that the] officer, or other person empowered to execute the summons, [shall] **may** also serve the same by securely affixing a copy of such summons"; and

Further amend said bill, Page 9, Section 535.030, Line 29, by inserting after the word "plaintiff", the words "**officer, or other persons empowered to execute the summons,**"; and

Further amend said bill, Page 9, Section 535.040, Lines 1-7, by deleting all of said lines and inserting in lieu thereof the following:

"535.040. **1.** Upon return of the summons executed, the judge shall set the case on the first available court date and"; and

Further amend said bill, Page 10, Section 535.040, Line 21, by inserting before the word "**Neither**", the following:

**"Except for willful, wanton, or malicious acts or omissions,"**; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Yates, **House Substitute Amendment No. 1 for House Amendment No. 1, as amended**, was adopted.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 057

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Corcoran	Curls	Darrough	Daus
Donnelly	Fallert	Frame	George	Grill
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh

## 1819 *Journal of the House*

Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 123	Bland	Brown 50	Cox
Dougherty	El-Amin	Emery	Harris 23	Haywood
Hunter	Johnson	Meadows	Nolte	Robinson
Salva	Spreng	Wright-Jones	Young	

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Stevenson, **HCS#2 SCS SB 781, as amended**, was adopted.

On motion of Representative Stevenson, **HCS#2 SCS SB 781, as amended**, was read the third time and passed by the following vote:

AYES: 111

Aull	Baker 25	Bivins	Brandom	Bringer
Brown 30	Bruns	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dougherty	Dusenberg	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kratky	Kraus	Kuessner	Lampe
Lembke	Liese	Loehner	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Norr	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Mr Speaker				

NOES: 035

Bland	Brown 50	Burnett	Casey	Chappelle-Nadal
Curls	Daus	Donnelly	Frame	George
Grill	Harris 110	Hodges	Holsman	Hughes
Komo	LeVota	Lipke	Low 39	Lowe 44
Nasheed	Oxford	Page	Roorda	Schieffer

Skaggs	Storch	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 015

Avery	Baker 123	El-Amin	Emery	Harris 23
Haywood	Hunter	Johnson	Meadows	Nolte
Robinson	Salva	Spreng	Wright-Jones	Young

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Zimmerman
Zweifel				

## 1821 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	Corcoran	El-Amin	Emery	Harris 23
Hunter	Johnson	Meadows	Richard	Robinson
Spreng	Wasson	Wright-Jones	Young	

VACANCIES: 002

The emergency clause was adopted by the following vote:

AYES: 131

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dusenberg	Ervin	Faith
Fallert	Fisher	Flook	Frame	Franz
Funderburk	Grisamore	Guest	Harris 110	Haywood
Holsman	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel				

NOES: 013

Burnett	Dougherty	George	Grill	Hodges
Hughes	LeVota	Liese	Nasheed	Skaggs
Talboy	Villa	Vogt		

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker 123	Corcoran	El-Amin	Emery	Fares
Harris 23	Hobbs	Hunter	Johnson	Meadows
Richard	Robinson	Spreng	Wasson	Wright-Jones
Young	Mr Speaker			

VACANCIES: 002

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SS SCS SB 718, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS#2 SB 976, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

### BILL CARRYING REQUEST MESSAGE

**HCS#2 SS SCS SB 718, as amended**, relating to incentives for business development, was taken up by Representative Pearce.

Representative Pearce moved that the House refuse to recede from its position on **HCS#2 SS SCS SB 718, as amended**, and grant the Senate a conference.

Which motion was adopted.

### THIRD READING OF SENATE BILLS

**SB 885**, relating to Community Children's Services Fund, was taken up by Representative Cooper (120).

Representative Franz offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Bill No. 885, Section 210.861, Page 3, Line 73, by inserting after all of said line the following:

**"Section 1. 1. There is hereby created within the department of social services the "Missouri State Foster Care and Adoption Advisory Board", which shall provide an independent review of policies and procedures related to the provision of foster care and adoption in Missouri and make recommendations to improve the provision of foster care and adoption services to children statewide. The board will be comprised of a minimum of fourteen foster, adoptive, and career foster parents as follows:**

**(1) Two of the members shall represent each other of the seven children's division areas of the state of Missouri delineated as follows:**

- (a) The northwest region;**
- (b) The northeast region;**
- (c) The southeast region;**
- (d) The southwest region;**

- (e) The Kansas City region;
- (f) The St. Louis area region;
- (g) The St. Louis City region;

(2) Area members will be selected by local foster care and adoption advisory boards or similar entities in a manner of their choosing.

2. Foster care and adoption association representatives will be voting members of the board as approved by the board.

3. All members of the board shall serve for a term of at least two years. Members may be re-selected to the board by their entities for consecutive terms. All vacancies on the board shall be filled for the balance of the unexpired term in the same manner in which the board membership which is vacant was originally filled.

4. Each member of the board may be reimbursed for actual and necessary expenses incurred by the member in performance of his or her official duties. All reimbursements made pursuant to this subsection shall be made from funds within the children's division budget.

5. All business transaction of the board shall be conducted in public meetings in accordance with sections 610.010 to 610.030, RSMo.

6. The board shall elect officers from the membership consisting of a chairperson, co-chairperson, and secretary. Officers shall serve for a term of two years. The board may elect such other officers and establish such committees as it deems appropriate.

7. The board shall establish such procedures necessary to review children's division proposed policy and provide written responses to the children's division indicating any comments or concerns within thirty days of receipt of the proposed policy.

8. The board shall establish such communication procedures necessary to provide written suggestions to the children's division for improvements in foster care or adoption practice, and to respond to requests from the children's division for assistance with such problems.

9. The board shall provide upon request of the director of the department of social services, the Governor, or the legislature, a written report of annual activities conducted and recommendations made.

10. The board shall exercise its powers and duties independently of the department of social services children's division except that budgetary, procurement, accounting, and other related management functions shall be performed by the children's division."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Representative Bringer offered **House Amendment No. 1 to House Amendment No. 1.**

Representative Jones (89) raised points of order that **House Amendment No. 1 to House Amendment No. 1** is not properly drafted, in violation of Rule 46(a) and goes beyond the scope of the amendment.

The Chair ruled the third point of order well taken.

On motion of Representative Franz, **House Amendment No. 1** was adopted.

Representative Davis offered **House Amendment No. 2.**

*House Amendment No. 2*

AMEND Senate Bill No. 885, Section 210.891, Page 3, Line 73, by inserting after all of said line the following:

**"210.890. 1. The community children's services fund and any other state family services agency established in Missouri shall operate with the understanding that it is the natural fundamental right of the parents**



and legal guardians of unemancipated minors to determine and direct the care, health care, teaching, and education of their children.

2. A parent or legal guardian of an unemancipated minor shall have the right to make all health care decisions for such unemancipated minor; except that, such right shall not be construed to supersede or otherwise infringe upon any applicable restrictions imposed by state law."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 058

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 110	Haywood	Holsman
Hoskins	Hubbard	Hughes	Komo	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

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ABSENT WITH LEAVE: 018

Avery	Corcoran	El-Amin	Emery	Harris 23
Hodges	Hunter	Johnson	Kratky	Marsh
Meadows	Quinn 7	Robinson	Spreng	Stevenson
Vogt	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Davis, **House Amendment No. 2** was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Kasten
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Oxford	Page	Quinn 9	Rucker
Salva	Scavuzzo	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 001

Haywood

ABSENT WITH LEAVE: 014

Avery	El-Amin	Harris 23	Hunter	Johnson
Marsh	Meadows	Quinn 7	Robinson	Roorda
Spreng	Stevenson	Vogt	Young	

VACANCIES: 002

Representative Dixon offered **House Amendment No. 3.**

*House Amendment No. 3*

AMEND Senate Bill No. 885, Page 1, In the Title, Line 2, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the words "one new section" and inserting in lieu thereof the words "two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word and the number "section 210.861," and inserting in lieu thereof the following:

"sections 210.861 and 491.725"; and

Further amend said bill, Page 193, Section 490.715, Line 33, by inserting after all of said line the following:

**"491.725. 1. This section shall be known and may be cited as the "Children's Bill of Courtroom Rights".**

**2. As used in this section, the following terms shall mean:**

(1) "Child", a person seventeen years of age or under who is a witness in any judicial proceeding under chapters 452 or 453, RSMo, or the alleged victim or witness in any judicial proceeding under chapters 455, 565, 566, or 568, RSMo. "Victim" or "witness" shall not include any child accused of committing a felony; however, these terms may, in the court's discretion, include:

(a) A child where such child's participation in a felony appears to have been induced, coerced, or unwilling; or

(b) A child who has participated in the felony, but who has subsequently and voluntarily agreed to testify on behalf of the state.

(2) "Comfort item", a favorite toy, stuffed animal, blanket, or any other object whose presence helps the child calm himself or herself;

(3) "Support person", an adult who is known to the child victim or witness and with whom the child feels comfortable, whose purpose will be to provide emotional support to the child and to promote the child's feelings of security and safety.

**3. In order to facilitate testimony that is fair and accurate, and in order to protect children from confusing practices while testifying in court, the following children's bill of courtroom rights shall apply to all children testifying in court:**

(1) A child victim or witness testifying at a judicial proceeding has the right to understand the oath which is being administered to such child. Whether at a competency hearing or trial itself, the judge shall ensure that any oath that is required of a child shall be administered in a developmentally appropriate manner;

(2) A child victim or witness testifying at a judicial proceeding has the right to understand all the questions asked of such child. Accordingly, the court shall take special care to ensure that questions are stated in a form which is appropriate to the age of the child. The court shall explain to the child that if he or she does not understand a question, the child has the right to say that he or she does not understand the question;

(3) A child victim or witness has a right to testify at a time of day when such child is best able to understand the questions and otherwise handle the stresses of testifying. Accordingly, in the court's discretion, the taking of testimony may be limited in duration or limited to normal school hours. The court may order a recess when the energy, comfort, or attention span of the child warrants;

(4) A child victim or witness testifying at or attending a judicial proceeding has a right to a comfort item. The court, at its discretion, may place any reasonable limitations on the size or type of comfort item;

(5) A child victim or witness testifying at or attending a judicial proceeding has a right to the presence of a support person designated by the child victim or witness and approved by the court. The court, at its discretion, may allow the support person to remain in close physical proximity to or in contact with the child while the child testifies, provided such person shall not obscure the child from the view of the defendant or the trier of fact. A support person shall not provide the child with an answer to any question directed to the child during the course of the child's testimony or otherwise prompt the child. If the support person attempts to influence or affect in any manner the testimony of the child victim or witness during the giving of testimony or at any other time, the court shall exclude that support person and allow the child victim or witness to designate another attendant;

(6) A child victim or witness testifying at a judicial proceeding has a right to be questioned in a manner that is neither intimidating nor frightening. Accordingly, the attorneys shall ask questions or pose objections in a manner which is not intimidating to the child and shall not engage in conduct that a child may interpret as an angry confrontation. The court shall take every reasonable means necessary to prevent intimidation or harassment of the child by the parties or their attorneys. The judge may rephrase any question so that the child is not intimidated; and

(7) A child victim or witness testifying at a judicial proceeding has a right to be comfortable when testifying. Accordingly, upon its own motion or the motion of a party, the court may order such accommodations as are appropriate under the circumstances to ensure the comfort of the child victim or witness, including the following measures:

- (a) Adjusting the layout of the courtroom;
- (b) Conducting the proceedings outside the normal courtroom; or
- (c) Relaxing the formalities of the proceedings."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Dixon, **House Amendment No. 3** was adopted.

Representative Bringer offered **House Amendment No. 4**.

*House Amendment No. 4*

AMEND Senate Bill No. 885, Page 1, In the Title, Line 2, by deleting the phrase "one new section" and inserting in lieu thereof the phrase "two new sections"; and

Further amend said bill, Page 1, Section A, Line 1, by deleting the phrase "one new section" and inserting in lieu thereof the phrase "two new sections"; and

Further amend said bill, Page 1, Section A, Line 2, by deleting the word and number "section 210.861" and inserting in lieu thereof the following:

"sections 210.861 and 210.862"; and

Further amend said bill, Page 3, Section 210.861, Line 71, by inserting after the number "6." the following:

**"In addition to the authorized expenditures under subsection 5 of this section, the board may authorize that moneys in the fund be used to fund the tuition and fee waivers awarded under section 210.862.**

**7."; and**

Further amend said bill, Page 3, Section 210.861, Line 73, by inserting after all of said line the following:

**"210.862. 1. The coordinating board for higher education shall make provisions for institutions under the board's jurisdiction to award a tuition and fee waiver for undergraduate courses at state institutions of higher education for any student, beginning with incoming freshmen in the 2009 fall semester or term, who:**

- (1) Is a resident of this state;**
- (2) Has graduated within the previous three years from high school or passed the GED examination; and**
- (3) Has been in foster care or other residential care under the department of social services on or after:**

- (a) The day preceding the student's eighteenth birthday;
  - (b) The day of the student's fourteenth birthday, if the student was also eligible for adoption on or after that day; or
  - (c) The day the student graduated from high school or received a GED.
2. To be eligible for a waiver award, a student shall:
- (1) Apply to and be accepted at the institution not later than:
    - (a) The third anniversary of the date the student was discharged from foster or other residential care, the date the student graduated from high school, or the date the student received a GED, whichever is earliest; or
    - (b) The student's twenty-first birthday;
  - (2) Apply for other student financial assistance, other than student loans, in compliance with federal financial aid rules, including the federal Pell grant;
  - (3) Apply to the coordinating board for higher education for a determination of eligibility. Application shall be on forms and in a manner prescribed by rule of the coordinating board; and
  - (4) Complete a minimum of one hundred hours of community service or public internship within a twelve-month period beginning September first for each year in which the student is receiving a tuition and fee waiver award under this section. The department of higher education, in collaboration with participating state institutions of higher education, shall by rule determine the community service and public internships that students may participate in to meet the requirements of this subdivision. A student may fulfill this requirement by completing the necessary community service or public internship hours during the summer.
3. The tuition and fee waiver provided by this section shall be awarded on an annual basis, subject to appropriation and the availability of funds under subsection 6 of section 210.861, and shall continue to be available, if the student is otherwise eligible under this section, as long as the student remains in good academic standing at the state institution of higher education. The institution shall monitor compliance with subdivision (4) of subsection 2 of this section and report it to the department of higher education.
4. The waiver provided by this section for each eligible student may be used for no more than four years of undergraduate study and may only be used after other sources of financial aid that are dedicated solely to tuition and fees are exhausted.
5. No student who is enrolled in an institution of higher education as of the effective date of this section shall be eligible for a waiver award under this section.
6. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void."; and

Further amend said title, enacting clause and intersectional references accordingly.

On motion of Representative Bringer, **House Amendment No. 4** was adopted.

Representative Aull offered **House Amendment No. 5**.

Representative Jones (89) raised a point of order that **House Amendment No. 5** goes beyond the scope of the bill.

The Chair ruled the point of order well taken.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Richard	Robb	Ruestman
Ruzicka	Sander	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 057

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Bland	Corcoran	Deeken	El-Amin
George	Grill	Harris 23	Hunter	Johnson
Marsh	Meadows	Quinn 7	Robinson	Roorda
Sater	Spreng	Sutherland	Vogt	Young

VACANCIES: 002

On motion of Representative Cooper (120), **SB 885, as amended**, was read the third time and passed by the following vote:

AYES: 124

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fisher	Flook	Franz	Funderburk
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kratky
Kraus	Kuessner	Lampe	Lembke	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruestman	Ruzicka	Salva
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yates	Zweifel	Mr Speaker	

NOES: 016

Burnett	Frame	George	Holsman	Hughes
Komo	LeVota	Low 39	Lowe 44	Schoemehl
Skaggs	Storch	Talboy	Wildberger	Witte
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Bland	Bruns	Corcoran	El-Amin
Fares	Harris 23	Hodges	Hunter	Johnson
Marsh	Meadows	Onder	Robinson	Roorda
Sater	Spreng	Threlkeld	Vogt	Yaeger
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

**HCS SCS SB 1081**, relating to mental health providers and services, was taken up by Representative Cooper (155).

On motion of Representative Cooper (155), **HCS SCS SB 1081** was adopted.

On motion of Representative Cooper (155), **HCS SCS SB 1081** was read the third time and passed by the following vote:

AYES: 136

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hughes	Ice	Jones 89
Jones 117	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Moore	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 025

Avery	Baker 123	Cooper 120	Corcoran	El-Amin
Emery	Harris 23	Hubbard	Hunter	Johnson
Kasten	Low 39	Lowe 44	Marsh	Meadows
Meiners	Muschany	Robinson	Schneider	Spreng
Stream	Sutherland	Vogt	Wallace	Young

VACANCIES: 002

Speaker Jetton declared the bill passed.



The emergency clause was adopted by the following vote:

AYES: 129

Aull	Baker 25	Bivins	Brandom	Brown 30
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cox	Cunningham 145	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hubbard	Hughes	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	St. Onge	Storch	Stream	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Walsh	Walton
Wasson	Wells	Weter	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 002

Whorton                      Wildberger

PRESENT: 001

Schoeller

ABSENT WITH LEAVE: 029

Avery	Baker 123	Bland	Bringer	Cooper 120
Corcoran	Cunningham 86	Donnelly	El-Amin	Emery
George	Harris 23	Hoskins	Hunter	Johnson
Low 39	Marsh	Meadows	Meiners	Parson
Quinn 7	Robinson	Scharnhorst	Schneider	Spreng
Stevenson	Sutherland	Wallace	Young	

VACANCIES: 002

**SCS SB 1040**, relating to storm water control grants and loans, was taken up by Representative Hobbs.

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On motion of Representative Hobbs, **SCS SB 1040** was truly agreed to and finally passed by the following vote:

AYES: 129

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dusenberg
Ervin	Faith	Fallert	Fares	Fisher
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icey	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Meadows	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
St. Onge	Storch	Stream	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Walsh	Walton	Wasson
Wells	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 001

Bringer

PRESENT: 000

ABSENT WITH LEAVE: 031

Avery	Baker 123	Cooper 120	Corcoran	Cunningham 86
Dougherty	El-Amin	Emery	Flook	Harris 23
Hunter	Johnson	Lembke	Low 39	Lowe 44
Marsh	Meiners	Moore	Nasheed	Portwood
Quinn 9	Robinson	Sater	Schneider	Smith 150
Spreng	Stevenson	Sutherland	Wallace	Weter
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

### THIRD READING OF SENATE JOINT RESOLUTION

**SJR 45**, relating to storm water control grants and loans, was taken up by Representative Hobbs.

On motion of Representative Hobbs, **SJR 45** was truly agreed to and finally passed by the following vote:

AYES: 136

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Ervin	Faith	Fallert	Fares	Fisher
Flook	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	St. Onge	Storch	Stream
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 001

Kuessner

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Baker 123	El-Amin	Emery	Frame
Harris 23	Hunter	Johnson	Jones 89	Low 39
Lowe 44	Marsh	Meadows	Page	Portwood
Robinson	Sander	Schneider	Spreng	Stevenson
Sutherland	Wallace	Wilson 119	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

### **APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HCS#2 SS SCS SB 718:** Representatives Pearce, Richard, Flook, Storch and Brown (50)

### **THIRD READING OF SENATE BILL**

**SCS SB 788**, relating to the Department of Insurance, was taken up by Representative Wasson.

Speaker Pro Tem Pratt resumed the Chair.

Representative Wasson offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 788, Page 2, Section A, Line 27, by inserting after said line the following:

**"21.840. 1. There is established a joint committee of the general assembly to be known as the "Joint Committee on Preneed Funeral Contracts" to be composed of seven members of the senate and seven members of the house of representatives. The senate members of the joint committee shall be appointed by the president pro tem and minority floor leader of the senate and the house members shall be appointed by the speaker and minority floor leader of the house of representatives. The appointment of each member shall continue during the member's term of office as a member of the general assembly or until a successor has been appointed to fill the member's place when his or her term of office as a member of the general assembly has expired. No party shall be represented by more than four members from the house of representatives nor more than four members from the senate. A majority of the committee shall constitute a quorum, but the concurrence of a majority of the members shall be required for the determination of any matter within the committee's duties.**

**2. The joint committee shall:**

**(1) Make a comprehensive study and analysis of the consumer and economic impact on the preneed funeral contract industry in the state of Missouri;**

**(2) Determine from its study and analysis the need for changes in statutory law; and**

**(4) Make any other recommendation to the general assembly relating to its findings.**

**3. The joint committee shall meet within thirty days after its creation and organize by selecting a chairperson and a vice chairperson, one of whom shall be a member of the senate and the other a member of the house of representatives.**

**4. The committee may meet at locations other than Jefferson City when the committee deems it necessary.**

**5. The committee shall be staffed by legislative personnel as is deemed necessary to assist the committee in the performance of its duties.**

**6. The members of the committee shall serve without compensation but shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties.**

**7. It shall be the duty of the committee to compile a full report of its activities for submission to the general assembly. The report shall be submitted not later than January 31, 2009, and shall include any recommendations which the committee may have for legislative action as well as any recommendations for administrative or procedural changes in the internal management or organization of state or local government agencies and departments. Copies of the report containing such recommendations shall be sent to the appropriate directors of state or local government agencies or departments included in the report.**

**8. The provisions of this section shall expire on January 31, 2009."; and**

Further amend said bill, Page13, Section 148.330, Line 68, by inserting after said line the following:

"194.119. 1. As used in this section, the term "right of sepulcher" means the right to choose and control the burial, cremation, or other final disposition of a dead human body.

2. For purposes of this chapter and chapters 193, 333, and 436, RSMo, and in all cases relating to the custody, control, and disposition of deceased human remains, including the common law right of sepulcher, where not otherwise defined, the term "next-of-kin" means the following persons in the priority listed if such person is eighteen years of age or older, is mentally competent, and is willing to assume responsibility for the costs of disposition:

(1) **An attorney in fact designated in a durable power of attorney wherein the deceased specifically granted the right of sepulcher over his or her body to such attorney in fact;**

(2) The surviving spouse;

[(2)] (3) Any surviving child of the deceased. If a surviving child is less than eighteen years of age and has a legal or natural guardian, such child shall not be disqualified on the basis of the child's age and such child's legal or natural guardian, if any, shall be entitled to serve in the place of the child unless such child's legal or natural guardian was subject to an action in dissolution from the deceased. In such event the person or persons who may serve as next-of-kin shall serve in the order provided in subdivisions [(3)] (4) to (8) of this subsection;

[(3)] (4) (a) Any surviving parent of the deceased; or

(b) If the deceased is a minor, a surviving parent who has custody of the minor; or

(c) If the deceased is a minor and the deceased's parents have joint custody, the parent whose residence is the minor child's residence for purposes of mailing and education;

[(4)] (5) Any surviving sibling of the deceased;

[(5)] Any person designated by the deceased to act as next-of-kin pursuant to a valid designation of right of sepulcher as provided in subsection 8 of this section;]

(6) The next nearest surviving relative of the deceased by consanguinity or affinity;

(7) Any person or friend who assumes financial responsibility for the disposition of the deceased's remains if no next-of-kin assumes such responsibility;

(8) The county coroner or medical examiner; provided however that such assumption of responsibility shall not make the coroner, medical examiner, the county, or the state financially responsible for the cost of disposition.

3. The next-of-kin of the deceased shall be entitled to control the final disposition of the remains of any dead human being consistent with all applicable laws, including all applicable health codes.

4. A funeral director or establishment is entitled to rely on and act according to the lawful instructions of any person claiming to be the next-of-kin of the deceased; provided however, in any civil cause of action against a funeral director or establishment licensed pursuant to this chapter for actions taken regarding the funeral arrangements for a deceased person in the director's or establishment's care, the relative fault, if any, of such funeral director or establishment may be reduced if such actions are taken in reliance upon a person's claim to be the deceased person's next-of-kin.

5. Any person who desires to exercise the right of sepulcher and who has knowledge of an individual or individuals with a superior right to control disposition shall notify such individual or individuals prior to making final arrangements.

6. If an individual with a superior claim is personally served with written notice from a person with an inferior claim that such person desires to exercise the right of sepulcher and the individual so served does not object within forty-eight hours of receipt, such individual shall be deemed to have waived such right. An individual with a superior right may also waive such right at any time if such waiver is in writing and dated.

7. If there is more than one person in a class who are equal in priority and the funeral director has no knowledge of any objection by other members of such class, the funeral director or establishment shall be entitled to rely on and act according to the instructions of the first such person in the class to make arrangements; provided that such person assumes responsibility for the costs of disposition and no other person in such class provides written notice of his or her objection.

[8. Any person may designate an individual to be his or her closest next-of-kin, regardless of blood or marital relationship, by means of a written instrument that is signed, dated, and verified. Such designation of right of sepulcher shall be witnessed by two persons, and shall contain the names and last known address of each person entitled to be next-of-kin but for the execution of the designation of right of sepulcher and who are higher in priority than the person so designated.]

333.011. As used in this chapter, unless the context requires otherwise, the following terms have the meanings indicated:

- (1) "Board", the state board of embalmers and funeral directors created by this chapter;
- (2) "Embalmer", any individual licensed to engage in the practice of embalming;
- (3) "Funeral director", any individual licensed to engage in the practice of funeral directing;
- (4) "Funeral establishment", a building, place, crematory, or premises devoted to or used in the care and preparation for burial or transportation of the human dead and includes every building, place or premises maintained for that purpose or held out to the public by advertising or otherwise to be used for that purpose;
- (5) "Person" includes a corporation, partnership or other type of business organization;
- (6) "Practice of embalming", the work of preserving, disinfecting and preparing by arterial embalming, [or otherwise,] **including the chemical preparation of a dead human body for disposition. Practice of embalming includes all activities leading up to and including arterial and cavity embalming, including but not limited to raising of vessels and suturing of incisions** of dead human bodies for funeral services, transportation, burial or cremation, or the holding of oneself out as being engaged in such work;
- (7) "Practice of funeral directing", engaging by an individual in the business of preparing, otherwise than by embalming, for the burial, disposal or transportation out of this state of, and the directing and supervising of the burial or disposal of, dead human bodies or engaging in the general control, supervision or management of the operations of a funeral establishment.

334.500. As used in sections 334.500 to 334.685, the following terms mean:

- (1) "Board", the state board of registration for the healing arts in the state of Missouri;
- (2) "Physical therapist assistant", a person who is licensed as a physical therapist assistant by the board or a person who was actively engaged in practice as a physical therapist assistant on August 28, 1993;
- (3) "Physical therapist", a person who is licensed to practice physical therapy;
- (4) **"Practice of physical therapy"**, the examination, treatment and instruction of human beings to assess, prevent, correct, alleviate and limit physical disability, movement dysfunction, bodily malfunction and pain from injury, disease and any other bodily condition, such term includes, but is not limited to, the administration, interpretation and evaluation of physical therapy tests and measurements of bodily functions and structures; the planning, administration, evaluation and modification of treatment and instruction, including the use of physical measures, activities and devices, for preventive and therapeutic purposes; and the provision of consultative, educational, research and other advisory services for the purpose of reducing the incidence and severity of physical disability, movement dysfunction, bodily malfunction and pain does not include the use of surgery or obstetrics or the administration of x-radiation, radioactive substance, diagnostic x-ray, diagnostic laboratory electrocautery, electrosurgery or invasive tests or the prescribing of any drug or medicine or the administration or dispensing of any drug or medicine other than a topical agent administered or dispensed upon the direction of a physician. Physical therapists may perform electromyography and nerve conduction tests but may not interpret the results of the electromyography or nerve conduction test. Physical therapists shall practice physical therapy within the scope of their education and training as provided in sections 334.500 to 334.620."; and

Further amend said bill, Page 59, Section 334.400, Line 35, by inserting after said line the following:

"334.506. 1. [Nothing in this chapter shall prevent a physical therapist, whose license is in good standing, from providing educational resources and training, developing fitness or wellness programs for asymptomatic persons, or providing screening or consultative services within the scope of physical therapy practice without the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, except that no physical therapist shall initiate treatment for a new injury or illness without the prescription or direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing.

2. Nothing in this chapter shall prevent a physical therapist, whose license is in good standing, from examining and treating, without the prescription and direction of a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any person with a recurring, self-limited injury within one year

of diagnosis by a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, or any person with a chronic illness that has been previously diagnosed by a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, except that a physical therapist shall contact the patient's current physician, chiropractor, dentist, or podiatrist, within seven days of initiating physical therapy services, pursuant to this subsection, shall not change an existing physical therapy referral available to the physical therapist without approval of the patient's current physician, chiropractor, dentist, or podiatrist, and shall refer to a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any patient whose medical condition should, at the time of examination or treatment, be determined to be beyond the scope of practice of physical therapy. A physical therapist shall refer to a person licensed and registered as a physician and surgeon pursuant to this chapter, as a chiropractor pursuant to chapter 331, RSMo, as a dentist pursuant to chapter 332, RSMo, or as a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing, any person whose condition, for which physical therapy services are rendered pursuant to this subsection, has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever shall come first. If the person's condition for which physical therapy services are rendered under this subsection shall be documented to be progressing toward documented treatment goals, a physical therapist may continue treatment without referral from a physician, chiropractor, dentist or podiatrist, whose license is in good standing. If treatment rendered under this subsection is to continue beyond thirty days, a physical therapist shall notify the patient's current physician, chiropractor, dentist, or podiatrist before continuing treatment beyond the thirty-day limitation. A physical therapist shall also perform such notification before continuing treatment rendered under this subsection for each successive period of thirty days.]

**As used in this section, "approved health care provider" means a person holding a current and active license as a physician and surgeon under this chapter, a chiropractor under chapter 331, RSMo, a dentist under chapter 332, RSMo, a podiatrist under chapter 330, RSMo, a physician assistant under this chapter, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction whose license is in good standing.**

**2. A physical therapist shall not initiate treatment for a new injury or illness without a prescription from an approved health care provider.**

**3. A physical therapist may provide educational resources and training, develop fitness or wellness programs for asymptomatic persons, or provide screening or consultative services within the scope of physical therapy practice without the prescription and direction of an approved health care provider.**

**4. A physical therapist may examine and treat without the prescription and direction of an approved health care provider any person with a recurring self-limited injury within one year of diagnosis by an approved health care provider or a chronic illness that has been previously diagnosed by an approved health care provider. The physical therapist shall:**

**(1) Contact the patient's current approved health care provider within seven days of initiating physical therapy services under this subsection;**

**(2) Not change an existing physical therapy referral available to the physical therapist without approval of the patient's current approved health care provider;**

**(3) Refer to an approved health care provider any patient whose medical condition at the time of examination or treatment is determined to be beyond the scope of practice of physical therapy;**

**(4) Refer to an approved health care provider any patient whose condition for which physical therapy services are rendered under this subsection has not been documented to be progressing toward documented treatment goals after six visits or fourteen days, whichever first occurs;**

**(5) Notify the patient's current approved health care provider prior to the continuation of treatment if treatment rendered under this subsection is to continue beyond thirty days. The physical therapist shall provide such notification for each successive period of thirty days.**

**[3.] 5. The provision of physical therapy services of evaluation and screening pursuant to this section shall be limited to a physical therapist, and any authority for evaluation and screening granted within this section may not be delegated. Upon each reinitiation of physical therapy services, a physical therapist shall provide a full physical therapy evaluation prior to the reinitiation of physical therapy treatment. Physical therapy treatment provided pursuant to the**

provisions of subsection [2] 4 of this section, may be delegated by physical therapists to physical therapist assistants only if the patient's current [physician, chiropractor, dentist, or podiatrist] **approved health care provider** has been so informed as part of the physical therapist's seven-day notification upon reinitiation of physical therapy services as required in subsection [2] 4 of this section. Nothing in this subsection shall be construed as to limit the ability of physical therapists or physical therapist assistants to provide physical therapy services in accordance with the provisions of this chapter, and upon the referral of [a physician and surgeon licensed pursuant to this chapter, a chiropractor pursuant to chapter 331, RSMo, a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing] **an approved health care provider**. Nothing in this subsection shall prohibit [a person licensed or registered as a physician or surgeon licensed pursuant to this chapter, a chiropractor pursuant to chapter 331, RSMo, a dentist pursuant to chapter 332, RSMo, or a podiatrist pursuant to chapter 330, RSMo, or any licensed and registered physician, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing.] **an approved health care provider** from acting within the scope of their practice as defined by the applicable chapters of RSMo.

[4.] 6. No person licensed to practice, or applicant for licensure, as a physical therapist or physical therapist assistant shall make a medical diagnosis.

7. **A physical therapist shall only delegate physical therapy treatment to a physical therapist assistant or to a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education (CAPTE) who satisfy supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education. The entry level person shall be under onsite supervision of a physical therapist.**

334.525. 1. **Notwithstanding any other provision of law to the contrary, any person licensed as a physical therapist or physical therapist assistant under this chapter may apply to the state board of registration for the healing arts for an inactive license status on a form furnished by the board. Upon receipt of the completed inactive status application form and the board's determination that the licensee meets the requirements established by the board by rule, the board shall declare the licensee inactive and shall place the licensee on an inactive status list. A person whose license is inactive or who has discontinued his or her practice because of retirement shall not practice his or her profession within this state. Such person may continue to use the title of his or her profession or the initials of his or her profession after such person's name.**

2. **If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of his or her intention, paying the appropriate fees, and meeting all established requirements of the board as a condition of reinstatement.**

334.530. 1. A candidate for license to practice as a physical therapist shall be at least twenty-one years of age. A candidate shall furnish evidence of such person's good moral character and the person's educational qualifications by submitting satisfactory evidence of completion of a program of physical therapy education approved as reputable by the board. A candidate who presents satisfactory evidence of the person's graduation from a school of physical therapy approved as reputable by the American Medical Association or, if graduated before 1936, by the American Physical Therapy Association, or if graduated after 1988, the Commission on Accreditation for Physical Therapy Education or its successor, is deemed to have complied with the educational qualifications of this subsection.

2. Persons desiring to practice as physical therapists in this state shall appear before the board at such time and place as the board may direct and be examined as to their fitness to engage in such practice. Applications for examination shall be in writing, on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications set forth in subsection 1 of this section. Each application shall contain a statement that it is made under oath or affirmation and that its representations are true and correct to the best knowledge and belief of the [person signing the statement] **applicant**, subject to the penalties of making a false affidavit or declaration.

3. [The board shall not issue a permanent license to practice as a physical therapist or allow any person to sit for the Missouri state board examination for physical therapists who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

4. The board may waive the provisions of subsection 3 if the applicant has met one of the following provisions:

(1) The applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada;



(2) The applicant has failed the licensure examination three times or more and then obtains a professional degree in physical therapy at a level higher than previously completed, the applicant can sit for the licensure examination three additional times.

5.] The examination of qualified candidates for licenses to practice physical therapy shall [include a written examination and shall embrace the subjects taught in reputable programs of physical therapy education, sufficiently strict to test the qualifications of the candidates as practitioners] **test entry-level competence as related to physical therapy theory, examination and evaluation, physical therapy diagnosis, prognosis, treatment, intervention, prevention, and consultation.**

[6.] 4. The examination shall embrace, in relation to the human being, the subjects of anatomy, chemistry, kinesiology, pathology, physics, physiology, psychology, physical therapy theory and procedures as related to medicine, surgery and psychiatry, and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice physical therapy.

**5. The applicant shall pass a test administered by the board on the laws and rules related to the practice of physical therapy in Missouri.**

334.540. 1. The board shall issue a license to any physical therapist who [is licensed] **possesses an active license** in another jurisdiction and who has had no violations, suspensions or revocations of a license to practice physical therapy in any jurisdiction, provided that, such person is licensed in a jurisdiction whose requirements are substantially equal to, or greater than, the requirements for licensure of physical therapists in Missouri at the time the applicant applies for licensure.

2. Every applicant for a license pursuant to this section, upon making application and showing the necessary qualifications as provided in subsection 1 of this section, shall be required to pay the same fee as the fee required to be paid by applicants who apply to take the examination before the board. Within the limits provided in this section, the board may negotiate reciprocal compacts with licensing boards of other states for the admission of licensed practitioners from Missouri in other states.

3. [Notwithstanding the provisions of subsections 1 and 2 of this section, the board shall not issue a license to any applicant who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

4. The board may waive the provisions of subsection 3 if the applicant has met one of the following provisions:

(1) The applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada;

(2) The applicant has failed the licensure examination three times or more and then obtains a professional degree in physical therapy at a level higher than previously completed, the applicant can sit for the licensure examination three additional times] **The applicant shall pass a test administered by the board on the laws and rules related to practice of physical therapy in Missouri.**

334.550. 1. An applicant who has not been previously examined in **this state or** another jurisdiction and meets the qualifications of subsection 1 of section 334.530, **or an applicant applying for reinstatement of an inactive license under a supervised active practice**, may pay a temporary license fee and submit an agreement-to-supervise form, which is signed by the applicant's supervising physical therapist, to the board and obtain without examination a nonrenewable temporary license. Such temporary licensee may only engage in the practice of physical therapy under the supervision of a licensed physical therapist. **The supervising physical therapist shall hold an unencumbered license to practice physical therapy in this state and shall provide the board proof of active clinical practice in this state for a minimum of one year prior to supervising a temporary licensee. The supervising physical therapist shall not be an immediate family member of the applicant.** The board shall define **immediate family member** and the scope of such supervision by rules and regulations. **The supervising physical therapist for the first-time examinee applicant shall submit to the board a signed notarized form prescribed by the board attesting that the applicant for temporary license shall begin employment at a location in this state within seven days of issuance of the temporary license. The supervising physical therapist shall notify the board within three days if the temporary licensee's employment ceases. A licensed physical therapist shall not supervise more than one temporary licensee.**

2. The temporary license **for the first-time examinee applicant** shall expire on [either] the date the applicant receives the results of the applicant's initial examination, **the date the applicant withdraws from sitting for the**

examination, the date the board is notified by the supervising physical therapist that the temporary licensee's employment has ceased, or within ninety days of its issuance, whichever occurs first.

**3. The temporary license for the reinstatement applicant under the supervised active practice shall expire effective one year from the date of issuance.**

334.560. The board shall charge each person who applies for examination for a license to practice as a physical therapist an examination fee. Should the examination prove unsatisfactory and the board refuse to issue a license thereon, the applicant failing to pass the examination may reapply [and return to any meeting] and be examined upon payment of a reexamination fee; but no temporary license may be issued to such persons].

334.570. 1. Every person licensed under sections 334.500 to 334.620 shall, on or before the registration renewal date, apply to the board for a certificate of registration for the ensuing licensing period. The application shall be made **under oath** on a form furnished to the applicant [and shall state] **by the board. The application shall include, but not be limited to, disclosure of the following:**

- (1) The applicant's full name [and the address at which the person practices and the address at which the person resides and the date and number of such person's license];
- (2) **The applicant's office address or addresses and telephone number or numbers;**
- (3) **The applicant's home address and telephone number;**
- (4) **The date and number of the applicant's license;**
- (5) **All final disciplinary actions taken against the applicant by any professional association or society, licensed hospital or medical staff of a hospital, physical therapy facility, state, territory, federal agency or county; and**
- (6) **Information concerning the applicant's current physical and mental fitness to practice his or her profession.**

**The applicant may be required to successfully complete a test administered by the board on the laws and rules related to the practice of physical therapy. The test process, dates, and passing scores shall be established by the board by rule.**

2. A [blank form] **notice** for application for registration shall be [mailed] **made available** to each person licensed in this state [at the person's last known address of practice or residence]. The failure to [mail the form of application or the failure to receive it] **receive the notice** does not, however, relieve any person of the duty to register and pay the fee required by sections 334.500 to 334.620 nor exempt such person from the penalties provided by sections 334.500 to 334.620 for failure to register.

**3. If a physical therapist does not renew such license for two consecutive renewal periods, such license shall be deemed void.**

**4. Each applicant for registration shall accompany the application for registration with a registration fee to be paid to the director of revenue for the licensing period for which registration is sought.**

**5. If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; except that, whenever in the opinion of the board the applicant's failure to register is caused by extenuating circumstances including illness of the applicant, as defined by rule, the delinquent fee may be waived by the board.**

**6. Upon application and submission by such person of evidence satisfactory to the board that such person is licensed to practice in this state and upon the payment of fees required to be paid by this chapter, the board shall issue to such person a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his or her office address, the expiration date, and the number of the license to practice.**

**7. Upon receiving such certificate, every person shall cause the certificate to be readily available or conspicuously displayed at all times in every practice location maintained by such person in the state. If the licensee maintains more than one practice location in this state, the board shall, without additional fee, issue to such licensee duplicate certificates of registration for each practice location so maintained. If any licensee changes practice locations during the period for which any certificate of registration has been issued, the licensee shall, within fifteen days thereafter, notify the board of such change and the board shall issue to the licensee, without additional fee, a new registration certificate showing the new location.**

**8. Whenever any new license is granted to any physical therapist or physical therapist assistant under the provisions of this chapter, the board shall, upon application therefore, issue to such physical therapist or**

physical therapist assistant a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

**334.601.** The board shall set the amount of the fees which this chapter authorizes and requires by rule. The fees shall be set at a level to produce revenue which shall not substantially exceed the cost and expense of administering this chapter.

**334.602.** 1. Physical therapists and physical therapist assistants shall provide documentation in order that an adequate and complete patient record can be maintained. All patient records shall be legible and available for review and shall include at a minimum documentation of the following information:

- (1) Identification of the patient, including name, birthdate, address, and telephone number;
- (2) The date or dates the patient was seen;
- (3) The current status of the patient, including the reason for the visit;
- (4) Observation of pertinent physical findings;
- (5) Assessment and clinical impression of physical therapy diagnosis;
- (6) Plan of care and treatment;
- (7) Documentation of progress toward goals;
- (8) Informed consent;
- (9) Discharge summary.

2. Patient records remaining under the care, custody, and control of the licensee shall be maintained by the licensee of the board, or the licensee's designee, for a minimum of seven years from the date of when the last professional service was provided.

3. Any correction, addition, or change in any patient record shall be clearly marked and identified as such, and the date, time, and name of the person making the correction, addition, or change shall be included, as well as the reason for the correction, addition, or change.

4. The board shall not obtain a patient medical record without written authorization from the patient to obtain the medical record or the issuance of a subpoena for the patient medical record.

334.610. Any person who holds himself or herself out to be a physical therapist or a licensed physical therapist within this state or any person who advertises as a physical therapist or claims that the person can render physical therapy services and who, in fact, does not hold a valid physical therapist license is guilty of a class B misdemeanor and, upon conviction, shall be punished as provided by law. Any person who, in any manner, represents himself or herself as a physical therapist, or who uses in connection with such person's name the words or letters "physical therapist", "physiotherapist", "registered physical therapist", "**doctor of physical therapy**", "P.T.", "Ph.T.", "P.T.T.", "R.P.T.", "**D.P.T.**", "**M.P.T.**", or any other letters, words, abbreviations or insignia, indicating or implying that the person is a physical therapist without a valid existing license as a physical therapist issued to such person pursuant to the provisions of sections 334.500 to 334.620, is guilty of a class B misdemeanor. Nothing in sections 334.500 to 334.620 shall prohibit any person licensed in this state under chapter 331, RSMo, from carrying out the practice for which the person is duly licensed, or from advertising the use of physiologic and rehabilitative modalities; nor shall it prohibit any person licensed or registered in this state under section 334.735 or any other law from carrying out the practice for which the person is duly licensed or registered; nor shall it prevent professional and semiprofessional teams, schools, YMCA clubs, athletic clubs and similar organizations from furnishing treatment to their players and members. This section, also, shall not be construed so as to prohibit masseurs and masseuses from engaging in their practice not otherwise prohibited by law and provided they do not represent themselves as physical therapists. This section shall not apply to physicians and surgeons licensed under this chapter or to a person in an entry level of a professional education program approved by the commission for accreditation of physical therapists and physical therapist assistant education (CAPTE) who is satisfying supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education while under on-site supervision of a physical therapist; or to a physical therapist who is practicing in the United States Armed Services, United States Public Health Service, or Veterans Administration under federal regulations for state licensure for health care providers.

**334.611.** Notwithstanding any other provision of law to the contrary, any qualified physical therapist who is legally authorized to practice under the laws of another state may practice as a physical therapist in this state without examination by the board or payment of any fee if such practice consists solely of the provision of gratuitous services provided for a summer camp or teaching or participating in a continuing educational seminar for a period not to exceed fourteen days in any one calendar year. Nothing in sections 334.500 to 334.625 shall

be construed to prohibit isolated or occasional gratuitous service to and treatment of the afflicted or to prohibit physical therapists from other nations, states, or territories from performing their duties for their respective teams or organizations during the course of their teams' or organizations' stay in this state.

**334.612. 1.** If the board finds merit to a complaint by an individual incarcerated or under the care and control of the department of corrections and takes further investigative action, no documentation shall appear on file or disciplinary action shall be taken in regards to the licensee's license unless the provisions of subsection 2 of section 334.613 have been violated. Any case file documentation that does not result in the board filing an action under subsection 2 of section 334.613 shall be destroyed within three months after the final case disposition by the board. No notification to any other licensing board in another state or any national registry regarding any investigative action shall be made unless the provisions of subsection 2 of section 334.613 have been violated.

**2.** Upon written request of the physical therapist or physical therapist assistant subject to a complaint prior to August 28, 1999, by an individual incarcerated or under the care and control of the department of corrections that did not result in the board filing an action described in subsection 2 of section 334.613, the board and the division of professional registration shall in a timely fashion:

- (1) Destroy all documentation regarding the complaint;
- (2) If previously notified of the complaint, notify any other licensing board in another state or any national registry regarding the board's actions; and
- (3) Send a letter to the licensee that clearly states that the board found the complaint to be unsubstantiated, that the board has taken the requested action, and notify the licensee of the provisions of subsection 3 of this section.

**3.** Any person who has been the subject of an unsubstantiated complaint as provided in subsection 1 or 2 of this section shall not be required to disclose the existence of such complaint in subsequent applications or representations relating to their practice.

**334.613. 1.** The board may refuse to issue or renew a license to practice as a physical therapist or physical therapist assistant for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo. As an alternative to a refusal to issue or renew a license to practice as a physical therapist or physical therapist assistant, the board may, at its discretion, issue a license which is subject to probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 2 of this section. The board's order of probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefor, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

**2.** The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of a license to practice as a physical therapist or physical therapist assistant who has failed to renew or has surrendered his or her license for any one or any combination of the following causes:

- (1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of a physical therapist or physical therapist assistant;
- (2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions, or duties of a physical therapist or physical therapist assistant, for any offense an essential element of which is fraud, dishonesty, or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;
- (3) Use of fraud, deception, misrepresentation, or bribery in securing any certificate of registration or authority, permit, or license issued under this chapter or in obtaining permission to take any examination given or required under this chapter;

(4) Misconduct, fraud, misrepresentation, dishonesty, unethical conduct, or unprofessional conduct in the performance of the functions or duties of a physical therapist or physical therapist assistant, including but not limited to the following:

(a) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation; willfully and continually overcharging or overtreating patients; or charging for sessions of physical therapy which did not occur unless the services were contracted for in advance, or for services which were not rendered or documented in the patient's records;

(b) Attempting, directly or indirectly, by way of intimidation, coercion, or deception, to obtain or retain a patient or discourage the use of a second opinion or consultation;

(c) Willfully and continually performing inappropriate or unnecessary treatment or services;

(d) Delegating professional responsibilities to a person who is not qualified by training, skill, competency, age, experience, or licensure to perform such responsibilities;

(e) Misrepresenting that any disease, ailment, or infirmity can be cured by a method, procedure, treatment, medicine, or device;

(f) Performing services which have been declared by board rule to be of no physical therapy value;

(g) Final disciplinary action by any professional association, professional society, licensed hospital or medical staff of the hospital, or physical therapy facility in this or any other state or territory, whether agreed to voluntarily or not, and including but not limited to any removal, suspension, limitation, or restriction of the person's professional employment, malpractice, or any other violation of any provision of this chapter;

(h) Administering treatment without sufficient examination, or for other than medically accepted therapeutic or experimental or investigative purposes duly authorized by a state or federal agency, or not in the course of professional physical therapy practice;

(i) Engaging in or soliciting sexual relationships, whether consensual or nonconsensual, while a physical therapist or physical therapist assistant/patient relationship exists; making sexual advances, requesting sexual favors, or engaging in other verbal conduct or physical contact of a sexual nature with patients or clients;

(j) Terminating the care of a patient without adequate notice or without making other arrangements for the continued care of the patient;

(k) Failing to furnish details of a patient's physical therapy records to treating physicians, other physical therapists, or hospitals upon proper request; or failing to comply with any other law relating to physical therapy records;

(l) Failure of any applicant or licensee, other than the licensee subject to the investigation, to cooperate with the board during any investigation;

(m) Failure to comply with any subpoena or subpoena duces tecum from the board or an order of the board;

(n) Failure to timely pay license renewal fees specified in this chapter;

(o) Violating a probation agreement with this board or any other licensing agency;

(p) Failing to inform the board of the physical therapist's or physical therapist assistant's current telephone number, residence, and business address;

(q) Advertising by an applicant or licensee which is false or misleading, or which violates any rule of the board, or which claims without substantiation the positive cure of any disease, or professional superiority to or greater skill than that possessed by any other physical therapist or physical therapist assistant. An applicant or licensee shall also be in violation of this provision if the applicant or licensee has a financial interest in any organization, corporation, or association which issues or conducts such advertising;

(5) Any conduct or practice which is or might be harmful or dangerous to the mental or physical health of a patient or the public; or incompetency, gross negligence, or repeated negligence in the performance of the functions or duties of a physical therapist or physical therapist assistant. For the purposes of this subdivision, "repeated negligence" means the failure, on more than one occasion, to use that degree of skill and learning ordinarily used under the same or similar circumstances by the member of the applicant's or licensee's profession;

(6) Violation of, or attempting to violate, directly or indirectly, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule adopted under this chapter;

(7) Impersonation of any person licensed as a physical therapist or physical therapist assistant or allowing any person to use his or her license or diploma from any school;

(8) Revocation, suspension, restriction, modification, limitation, reprimand, warning, censure, probation, or other final disciplinary action against a physical therapist or physical therapist assistant for a license or other right to practice as a physical therapist or physical therapist assistant by another state, territory, federal agency or country, whether or not voluntarily agreed to by the licensee or applicant, including but not limited to the

denial of licensure, surrender of the license, allowing the license to expire or lapse, or discontinuing or limiting the practice of physical therapy while subject to an investigation or while actually under investigation by any licensing authority, medical facility, branch of the armed forces of the United States of America, insurance company, court, agency of the state or federal government, or employer;

(9) A person is finally adjudged incapacitated or disabled by a court of competent jurisdiction;

(10) Assisting or enabling any person to practice or offer to practice who is not licensed and currently eligible to practice under this chapter; or knowingly performing any act which in any way aids, assists, procures, advises, or encourages any person to practice physical therapy who is not licensed and currently eligible to practice under this chapter;

(11) Issuance of a license to practice as a physical therapist or physical therapist assistant based upon a material mistake of fact;

(12) Failure to display a valid license pursuant to practice as a physical therapist or physical therapist assistant;

(13) Knowingly making, or causing to be made, or aiding, or abetting in the making of, a false statement in any document executed in connection with the practice of physical therapy;

(14) Soliciting patronage in person or by agents or representatives, or by any other means or manner, under the person's own name or under the name of another person or concern, actual or pretended, in such a manner as to confuse, deceive, or mislead the public as to the need or necessity for or appropriateness of physical therapy services for all patients, or the qualifications of an individual person or persons to render, or perform physical therapy services;

(15) Using, or permitting the use of, the person's name under the designation of "physical therapist", "physiotherapist", "registered physical therapist", "P.T.", "Ph.T.", "P.T.T.", "D.P.T.", "M.P.T." or "R.P.T.", "physical therapist assistant", "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any similar designation with reference to the commercial exploitation of any goods, wares or merchandise;

(16) Knowingly making or causing to be made a false statement or misrepresentation of a material fact, with intent to defraud, for payment under chapter 208, RSMo, or chapter 630, RSMo, or for payment from Title XVIII or Title XIX of the federal Medicare program;

(17) Failure or refusal to properly guard against contagious, infectious, or communicable diseases or the spread thereof; maintaining an unsanitary facility or performing professional services under unsanitary conditions; or failure to report the existence of an unsanitary condition in any physical therapy facility to the board, in writing, within thirty days after the discovery thereof;

(18) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant, paying or offering to pay a referral fee or, notwithstanding section 334.010 to the contrary, practicing or offering to practice professional physical therapy independent of the prescription and direction of a person licensed and registered as a physician and surgeon under this chapter, as a physician assistant under this chapter, as a chiropractor under chapter 331, RSMo, as a dentist under chapter 332, RSMo, as a podiatrist under chapter 330, RSMo, or any licensed and registered physician, chiropractor, dentist, or podiatrist practicing in another jurisdiction, whose license is in good standing;

(19) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant, treating or attempting to treat ailments or other health conditions of human beings other than by professional physical therapy and as authorized by sections 334.500 to 334.685;

(20) A pattern of personal use or consumption of any controlled substance unless it is prescribed, dispensed, or administered by a physician who is authorized by law to do so;

(21) Failing to maintain adequate patient records under 334.602;

(22) Attempting to engage in conduct that subverts or undermines the integrity of the licensing examination or the licensing examination process, including but not limited to utilizing in any manner recalled or memorized licensing examination questions from or with any person or entity, failing to comply with all test center security procedures, communicating or attempting to communicate with any other examinees during the test, or copying or sharing licensing examination questions or portions of questions;

(23) Any candidate for licensure or person licensed to practice as a physical therapist or physical therapist assistant who requests, receives, participates or engages directly or indirectly in the division, transferring, assigning, rebating or refunding of fees received for professional services or profits by means of a credit or other valuable consideration such as wages, an unearned commission, discount or gratuity with any person who referred a patient, or with any relative or business associate of the referring person;

(24) Being unable to practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients by reasons of incompetency, or because of illness, drunkenness, excessive use of drugs,

narcotics, chemicals, or as a result of any mental or physical condition. The following shall apply to this subdivision:

(a) In enforcing this subdivision the board shall, after a hearing by the board, upon a finding of probable cause, require a physical therapist or physical therapist assistant to submit to a reexamination for the purpose of establishing his or her competency to practice as a physical therapist or physical therapist assistant conducted in accordance with rules adopted for this purpose by the board, including rules to allow the examination of the pattern and practice of such physical therapist's or physical therapist assistant's professional conduct, or to submit to a mental or physical examination or combination thereof by a facility or professional approved by the board;

(b) For the purpose of this subdivision, every physical therapist and physical therapist assistant licensed under this chapter is deemed to have consented to submit to a mental or physical examination when directed in writing by the board;

(c) In addition to ordering a physical or mental examination to determine competency, the board may, notwithstanding any other law limiting access to medical or other health data, obtain medical data and health records relating to a physical therapist, physical therapist assistant or applicant without the physical therapist's, physical therapist assistant's or applicant's consent;

(d) Written notice of the reexamination or the physical or mental examination shall be sent to the physical therapist or physical therapist assistant, by registered mail, addressed to the physical therapist or physical therapist assistant at the physical therapist's or physical therapist assistant's last known address. Failure of a physical therapist or physical therapist assistant to submit to the examination when directed shall constitute an admission of the allegations against the physical therapist or physical therapist assistant, in which case the board may enter a final order without the presentation of evidence, unless the failure was due to circumstances beyond the physical therapist's or physical therapist assistant's control. A physical therapist or physical therapist assistant whose right to practice has been affected under this subdivision shall, at reasonable intervals, be afforded an opportunity to demonstrate that the physical therapist or physical therapist assistant can resume the competent practice as a physical therapist or physical therapist assistant with reasonable skill and safety to patients;

(e) In any proceeding under this subdivision neither the record of proceedings nor the orders entered by the board shall be used against a physical therapist or physical therapist assistant in any other proceeding. Proceedings under this subdivision shall be conducted by the board without the filing of a complaint with the administrative hearing commission;

(f) When the board finds any person unqualified because of any of the grounds set forth in this subdivision, it may enter an order imposing one or more of the disciplinary measures set forth in subsection 3 of this section.

3. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds provided in subsection 2 of this section for disciplinary action are met, the board may, singly or in combination:

(1) Warn, censure or place the physical therapist or physical therapist assistant named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years;

(2) Suspend the physical therapist's or physical therapist assistant's license for a period not to exceed three years;

(3) Restrict or limit the physical therapist's or physical therapist assistant's license for an indefinite period of time;

(4) Revoke the physical therapist's or physical therapist assistant's license;

(5) Administer a public or private reprimand;

(6) Deny the physical therapist's or physical therapist assistant's application for a license;

(7) Permanently withhold issuance of a license;

(8) Require the physical therapist or physical therapist assistant to submit to the care, counseling or treatment of physicians designated by the board at the expense of the physical therapist or physical therapist assistant to be examined;

(9) Require the physical therapist or physical therapist assistant to attend such continuing educational courses and pass such examinations as the board may direct.

4. In any order of revocation, the board may provide that the physical therapist or physical therapist assistant shall not apply for reinstatement of the physical therapist's or physical therapist assistant's license for

a period of time ranging from two to seven years following the date of the order of revocation. All stay orders shall toll this time period.

5. Before restoring to good standing a license issued under this chapter which has been in a revoked, suspended, or inactive state for any cause for more than two years, the board may require the applicant to attend such continuing medical education courses and pass such examinations as the board may direct.

6. In any investigation, hearing or other proceeding to determine a physical therapist's, physical therapist assistant's or applicant's fitness to practice, any record relating to any patient of the physical therapist, physical therapist assistant, or applicant shall be discoverable by the board and admissible into evidence, regardless of any statutory or common law privilege which such physical therapist, physical therapist assistant, applicant, record custodian, or patient might otherwise invoke. In addition, no such physical therapist, physical therapist assistant, applicant, or record custodian may withhold records or testimony bearing upon a physical therapist's, physical therapist assistant's, or applicant's fitness to practice on the ground of privilege between such physical therapist, physical therapist assistant, applicant, or record custodian and a patient.

334.614. 1. Notwithstanding any other provisions of section 620.010, RSMo, to the contrary, the board shall at least quarterly publish a list of the names and addresses of all physical therapists and physical therapist assistants who hold licenses under the provisions of this chapter, and shall publish a list of all physical therapists and physical therapist assistants whose licenses have been suspended, revoked, surrendered, restricted, denied, or withheld.

2. Notwithstanding any other provisions of section 620.010, RSMo, to the contrary, in addition, the board shall prepare and make available to the public a report upon the disciplinary matters submitted to them where the board recommends disciplinary action, except in those instances when physical therapists and physical therapist assistants possessing licenses voluntarily enter treatment and monitoring programs for purposes of rehabilitation and, in such instances, only such specific action shall not be reported with any other actions taken prior to, as part of, or following voluntary entrance into such treatment programs. The report shall set forth findings of fact and any final disciplinary actions of the board. If the board does not recommend disciplinary action, a report stating that no action is recommended shall be prepared and forwarded to the complaining party.

334.615. 1. Upon receipt of information that the holder of any license as a physical therapist or physical therapist assistant issued under this chapter may present a clear and present danger to the public health and safety, the executive director shall direct that the information be brought to the board in the form of sworn testimony or affidavits during a meeting of the board.

2. The board may issue an order suspending or restricting the holder of a license as a physical therapist or physical therapist assistant if it believes:

- (1) The licensee's acts, conduct, or condition may have violated subsection 2 of section 334.613; and
- (2) A licensee is practicing, attempting, or intending to practice in Missouri; and
- (3) (a) A licensee is unable by reason of any physical or mental condition to receive and evaluate information or to communicate decisions to the extent that the licensee's condition or actions significantly affect the licensee's ability to practice; or
- (b) Another state, territory, federal agency, or country has issued an order suspending or restricting the physical therapist's or physical therapist assistant's right to practice his or her profession; or
- (c) The licensee has engaged in repeated acts of life-threatening negligence as defined in subsection 2 of section 334.613; and
- (4) The acts, conduct, or condition of the licensee constitute a clear and present danger to the public health and safety.

3. (1) The order of suspension or restriction:

- (a) Shall be based on the sworn testimony or affidavits presented to the board;
- (b) May be issued without notice and hearing to the licensee;
- (c) Shall include the facts which lead the board to conclude that the acts, conduct, or condition of the licensee constitute a clear and present danger to the public health and safety.

(2) The board or the administrative hearing commission shall serve the licensee, in person or by certified mail, with a copy of the order of suspension or restriction and all sworn testimony or affidavits presented to the board, a copy of the complaint and the request for expedited hearing, and a notice of the place of and the date upon which the preliminary hearing will be held.

(3) The order of restriction shall be effective upon service of the documents required in subdivision (2) of this subsection.



(4) The order of suspension shall become effective upon the entry of the preliminary order of the administrative hearing commission.

(5) The licensee may seek a stay order from the circuit court of Cole County from the preliminary order of suspension, pending the issuance of a final order by the administrative hearing commission.

4. The board shall file a complaint in the administrative hearing commission with a request for expedited preliminary hearing and shall certify the order of suspension or restriction and all sworn testimony or affidavits presented to the board. Immediately upon receipt of a complaint filed under this section, the administrative hearing commission shall set the place and date of the expedited preliminary hearing which shall be conducted as soon as possible, but not later than five days after the date of service upon the licensee. The administrative hearing commission shall grant a licensee's request for a continuance of the preliminary hearing; however, the board's order shall remain in full force and effect until the preliminary hearing, which shall be held not later than forty-five days after service of the documents required in subdivision (2) of subsection 3 of this section.

5. At the preliminary hearing, the administrative hearing commission shall receive into evidence all information certified by the board and shall only hear evidence on the issue of whether the board's order of suspension or restriction should be terminated or modified. Within one hour after the preliminary hearing, the administrative hearing commission shall issue its oral or written preliminary order, with or without findings of fact and conclusions of law, that adopts, terminates, or modifies the board's order. The administrative hearing commission shall reduce to writing any oral preliminary order within five business days, but the effective date of the order shall be the date orally issued.

6. The preliminary order of the administrative hearing commission shall become a final order and shall remain in effect for three years unless either party files a request for a full hearing on the merits of the complaint filed by the board within thirty days from the date of the issuance of the preliminary order of the administrative hearing commission.

7. Upon receipt of a request for full hearing, the administrative hearing commission shall set a date for hearing and notify the parties in writing of the time and place of the hearing. If a request for full hearing is timely filed, the preliminary order of the administrative hearing commission shall remain in effect until the administrative hearing commission enters an order terminating, modifying, or dismissing its preliminary order or until the board issues an order of discipline following its consideration of the decision of the administrative hearing commission under section 621.110, RSMo, and subsection 3 of section 334.100.

8. In cases where the board initiates summary suspension or restriction proceedings against a physical therapist or physical therapist assistant licensed under this chapter, and such petition is subsequently denied by the administrative hearing commission, in addition to any award made under sections 536.085 and 536.087, RSMo, the board, but not individual members of the board, shall pay actual damages incurred during any period of suspension or restriction.

9. Notwithstanding the provisions of this chapter or chapter 610, RSMo, or chapter 621, RSMo, to the contrary, the proceedings under this section shall be closed and no order shall be made public until it is final, for purposes of appeal.

10. The burden of proving the elements listed in subsection 2 of this section shall be upon the state board of registration for the healing arts.

334.616. 1. A license issued under this chapter by the Missouri state board of registration for the healing arts shall be automatically revoked at such time as the final trial proceedings are concluded whereby a licensee has been adjudicated and found guilty, or has entered a plea of guilty or nolo contendere, in a felony criminal prosecution under the laws of the state of Missouri, the laws of any other state, or the laws of the United States of America for any offense reasonably related to the qualifications, functions or duties of their profession, or for any felony offense, an essential element of which is fraud, dishonesty or an act of violence, or for any felony offense involving moral turpitude, whether or not sentence is imposed, or, upon the final and unconditional revocation of the license to practice their profession in another state or territory upon grounds for which revocation is authorized in this state following a review of the record of the proceedings and upon a formal motion of the state board of registration for the healing arts. The license of any such licensee shall be automatically reinstated if the conviction or the revocation is ultimately set aside upon final appeal in any court of competent jurisdiction.

2. Anyone who has been denied a license, permit, or certificate to practice in another state shall automatically be denied a license to practice in this state. However, the board of healing arts may set up other qualifications by which such person may ultimately be qualified and licensed to practice in Missouri.

**334.617. 1. Upon application by the board and the necessary burden having been met, a court of general jurisdiction may grant an injunction, restraining order, or other order as may be appropriate to enjoin a person from:**

**(1) Offering to engage or engaging in the performance of any acts or practices for which a license is required by chapters 334.500 to 334.687 upon a showing that such acts or practices were performed or offered to be performed without a license; or**

**(2) Engaging in any practice or business authorized by a license issued under chapters 334.500 to 334.687 upon a showing that the holder presents a substantial probability of serious danger to the health, safety, or welfare of any resident of the state or client or patient of the licensee.**

**2. Any such action shall be commenced in the county in which such conduct occurred or in the county in which the defendant resides or Cole County.**

**3. Any action brought under this section shall be in addition to and not in lieu of any penalty provided by chapters 334.500 to 334.687 and may be brought concurrently with other actions to enforce chapters 334.500 to 334.687.**

**334.618. Upon receiving information that any provision of sections 334.500 to 334.687 has been or is being violated, the executive director of the board or other person designated by the board shall investigate, and upon probable cause appearing, the executive director shall, under the direction of the board, file a complaint with the administrative hearing commission or appropriate official or court. All such complaints shall be handled as provided by rule promulgated under subdivision (6) of subsection 16 of section 620.010, RSMo.**

334.650. 1. After January 1, 1997, no person shall hold himself or herself out as being a physical therapist assistant in this state unless the person is licensed as provided in sections 334.650 to 334.685.

2. A licensed physical therapist shall direct and supervise a physical therapist assistant [at all times. The licensed physical therapist shall have the responsibility of supervising the physical therapy treatment program]. **The physical therapist shall retain ultimate authority and responsibility for the physical therapy treatment. The licensed physical therapist shall have the responsibility of supervising the physical therapy treatment program.** No physical therapist may establish a treating office in which the physical therapist assistant is the primary care provider. No licensed physical therapist shall have under their direct supervision more than four **full-time equivalent** physical therapist assistants.

334.655. 1. A candidate for licensure to practice as a physical therapist assistant shall be at least nineteen years of age. A candidate shall furnish evidence of the person's good moral character and of the person's educational qualifications. The educational requirements for licensure as a physical therapist assistant are:

(1) A certificate of graduation from an accredited high school or its equivalent; and

(2) Satisfactory evidence of completion of an associate degree program of physical therapy education accredited by the commission on accreditation of physical therapy education. 2. Persons desiring to practice as a physical therapist assistant in this state shall appear before the board at such time and place as the board may direct and be examined as to the person's fitness to engage in such practice. Applications for examination shall be [in writing.] on a form furnished by the board and shall include evidence satisfactory to the board that the applicant possesses the qualifications provided in subsection 1 of this section. Each application shall contain a statement that the statement is made under oath of affirmation and that its representations are true and correct to the best knowledge and belief of the person signing the statement, subject to the penalties of making a false affidavit or declaration.

3. The examination of qualified candidates for licensure to practice as physical therapist assistants shall embrace [a written] **an** examination [and] which shall cover the curriculum taught in accredited associate degree programs of physical therapy assistant education. Such examination shall be sufficient to test the qualification of the candidates as practitioners.

4. [The board shall not issue a license to practice as a physical therapist assistant or allow any person to sit for the Missouri state board examination for physical therapist assistants who has failed three or more times any physical therapist licensing examination administered in one or more states or territories of the United States or the District of Columbia.

5. The board may waive the provisions of subsection 4 if the applicant has met one of the following provisions: the applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to

the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada.

6.] The examination shall include, as related to the human body, the subjects of anatomy, kinesiology, pathology, physiology, psychology, physical therapy theory and procedures as related to medicine and such other subjects, including medical ethics, as the board deems useful to test the fitness of the candidate to practice as a physical therapist assistant.

**5. The applicant shall pass a test administered by the board on the laws and rules related to the practice as a physical therapist assistant in this state.**

[7.] 6. The board shall license without examination any legally qualified person who is a resident of this state and who was actively engaged in practice as a physical therapist assistant on August 28, 1993. The board may license such person pursuant to this subsection until ninety days after the effective date of this section.

[8.] 7. A candidate to practice as a physical therapist assistant who does not meet the educational qualifications may submit to the board an application for examination if such person can furnish written evidence to the board that the person has been employed in this state for at least three of the last five years under the supervision of a licensed physical therapist and such person possesses the knowledge and training equivalent to that obtained in an accredited school. The board may license such persons pursuant to this subsection until ninety days after rules developed by the state board of healing arts regarding physical therapist assistant licensing become effective.

334.660. 1. The board shall license without examination legally qualified persons who [hold] **possess active** certificates of licensure, registration or certification in any state or territory of the United States or the District of Columbia, who have had no violations, suspensions or revocations of such license, registration or certification, if such persons have passed [a written] **an** examination to practice as a physical therapist assistant that was substantially equal to the examination requirements of this state and in all other aspects, including education, the requirements for such certificates of licensure, registration or certification were, at the date of issuance, substantially equal to the requirements for licensure in this state.

2. [The board shall not issue a license to any applicant who has failed three or more times any physical therapist assistant licensing examination administered in one or more states or territories of the United States or the District of Columbia.

3. The board may waive the provisions of subsection 1 if the applicant has met one of the following provisions: the applicant is licensed and has maintained an active clinical practice for the previous three years in another state of the United States, the District of Columbia or Canada and the applicant has achieved a passing score on a licensing examination administered in a state or territory of the United States, the District of Columbia and no license issued to the applicant has been disciplined or limited in any state or territory of the United States, the District of Columbia or Canada.

4.] Every applicant for a license pursuant to this section, upon making application and providing documentation of the necessary qualifications as provided in this section, shall pay the same fee required of applicants to take the examination before the board. Within the limits of this section, the board may negotiate reciprocal contracts with licensing boards of other states for the admission of licensed practitioners from Missouri in other states.

**3. The applicant shall successfully pass a test administered by the board on the laws and rules related to practice as a physical therapist assistant in this state.**

334.665. 1. An applicant who has not been previously examined in another jurisdiction and meets the qualifications of subsection 1 of section 334.655 **or an applicant applying for reinstatement of an inactive license under a supervised active practice** may pay a temporary license fee and submit an agreement-to-supervise form which is signed by the applicant's supervising physical therapist to the board and obtain without examination a nonrenewable temporary license. Such temporary licensee may only practice under the supervision of a licensed physical therapist. **The supervising physical therapist shall hold an unencumbered license to practice physical therapy in the state of Missouri and shall provide the board proof of active clinical practice in the state of Missouri for a minimum of one year prior to supervising the temporary licensee. The supervising physical therapist shall not be an immediate family member of the applicant. The board shall define immediate family member and the scope of such supervision by rule. The supervising physical therapist for the first-time examinee applicant shall submit to the board a signed notarized form prescribed by the board attesting that the applicant for temporary license shall begin employment at a location in this state within seven days of issuance of the temporary license. The supervising physical therapist shall notify the board within three days if the temporary licensee's employment ceases.** A licensed physical therapist shall supervise no more than one temporary licensee. [The board shall define the scope of such supervision by rules and regulations.]

2. The temporary license **for the first-time examinee applicant** shall expire on [either] the date the applicant receives the results of the applicant's initial examination, **the date the applicant withdraws from sitting for the examination, the date the board is notified by the supervising physical therapist that the temporary licensee's employment has ceased,** or within ninety days of its issuance, whichever occurs first.

3. **The temporary license for the reinstatement applicant under the supervised active practice shall expire effective one year from the date of issuance.**

334.670. The board shall charge a person, who applies for examination for a license to practice as a physical therapist assistant, an examination fee. If the person does not score a passing grade on the examination, the board may refuse to issue a license. Any applicant who fails to pass the examination may reapply and be reexamined upon payment of a reexamination fee. [No temporary license may be issued to any person who has previously failed the examination in Missouri or any other state or jurisdiction.]

334.675. 1. Every person licensed pursuant to sections 334.650 to 334.685 shall, on or before the licensing renewal date, apply to the board for a certificate of licensure for the next licensing period. The application for renewal shall be made **under oath** on a form furnished to the applicant [and shall state] **by the board. The application shall include, but not be limited to, disclosure of the following:**

(1) The applicant's full name [and the address at which the applicant practices and the address at which the applicant resides and];

(2) **The applicant's office address or addresses and telephone number or numbers;**

(3) **The applicant's home address and telephone number;**

(4) The date and number of the applicant's license;

(5) **All final disciplinary actions taken against the applicant by any professional association or society, licensed hospital or medical staff of the hospital, physical therapy facility, state, territory, federal agency or country; and**

(6) **Information concerning the applicant's current physical and mental fitness to practice the applicant's profession.**

**The applicant may be required to successfully complete a test administered by the board on the laws and rules related to the practice of physical therapy in this state. The test process, dates, and passing scores shall be established by the board by rule.**

2. A [blank application form] **notice** shall be [mailed] **made available** to each person licensed in this state [pursuant to sections 334.650 to 334.685 at the person's last known address of practice or residence. The failure to mail the application for or the failure to receive the application form]. **The failure to receive the notice** does not relieve any person of the duty to renew the person's license and pay the renewal fee as required by sections 334.650 to 334.685 nor shall it exempt the person from the penalties provided by sections 334.650 to 334.685 for failure to renew a license.

3. **If a physical therapist assistant does not renew such license for two consecutive renewal periods, such license shall be deemed voided.**

4. **Each applicant for registration shall accompany the application for registration with a registration fee to be paid to the director of revenue for the licensing period for which registration is sought.**

5. **If the application is filed and the fee paid after the registration renewal date, a delinquent fee shall be paid; except that, if in the opinion of the board the applicant's failure to register is caused by extenuating circumstances, including illness of the applicant as defined by rule, the delinquent fee may be waived by the board.**

6. **Upon due application therefore and upon submission by such person of evidence satisfactory to the board that he or she is licensed to practice in this state and upon the payment of fees required to be paid by this chapter, the board shall issue to such person a certificate of registration. The certificate of registration shall contain the name of the person to whom it is issued and his or her office address, the expiration date, and the number of the license to practice.**

7. **Upon receiving such certificate, every person shall cause it to be readily available or conspicuously displayed at all times in every practice location maintained by such licensee in the state. If the licensee maintains more than one practice location in this state, the board shall without additional fee issue to them duplicate certificates of registration for each practice location so maintained. If any licensee changes practice locations during the period for which any certificate of registration has been issued, such licensee shall, within fifteen days thereafter, notify the board of such change and the board shall issue to the licensee, without additional fee, a new registration certificate showing the new location.**

8. Whenever any new license is granted to any physical therapist or physical therapist assistant under the provisions of this chapter, the board shall, upon application therefore, issue to such physical therapist or physical therapist assistant a certificate of registration covering a period from the date of the issuance of the license to the next renewal date without the payment of any registration fee.

**334.686.** Any person who holds himself or herself out to be a physical therapist assistant or a licensed physical therapist assistant within this state or any person who advertises as a physical therapist assistant and who, in fact, does not hold a valid physical therapist assistant license is guilty of a class B misdemeanor and, upon conviction, shall be punished as provided by law. Any person who, in any manner, represents himself or herself as a physical therapist assistant, or who uses in connection with such person's name the words or letters, "physical therapist assistant", the letters "P.T.A.", "L.P.T.A.", "C.P.T.A.", or any other letters, words, abbreviations or insignia, indicating or implying that the person is a physical therapist assistant without a valid existing license as a physical therapist assistant issued to such person under the provisions of sections 334.500 to 334.620, is guilty of a class B misdemeanor. This section shall not apply to physicians and surgeons licensed under this chapter or to a person in an entry level of a professional education program approved by the Commission for Accreditation of Physical Therapists and Physical Therapist Assistant Education (CAPTE) who is satisfying supervised clinical education requirements related to the person's physical therapist or physical therapist assistant education while under onsite supervision of a physical therapist; or to a physical therapist who is practicing in the United States Armed Forces, United States Public Health Service, or Veterans Administration under federal regulations for state licensure for health care providers.

**334.687. 1.** For purposes of this section, the licensing of physical therapists and physical therapist assistants shall take place within processes established by the state board of registration for the healing arts through rules. The board of healing arts is authorized to adopt rules establishing licensing and renewal procedures, supervision of physical therapist assistants, and former licensees who wish to return to the practice of physical therapy, fees, and addressing such other matters as are necessary to protect the public and discipline the profession." and

Further amend said bill, Page 61, Section 334.735, Line 36, by inserting immediately after the word "section" the following:

**"For the purposes of this section, the percentage of time a physician assistant provides patient care with the supervising physician on-site shall be measured each calendar quarter."** and

Further amend said section, Page 62, Line 64, by inserting after the word "area" the following:

";

**(5) Nothing in this section shall be construed to require a physician-physician assistant team to increase their on-site requirement allowed in their initial waiver in order to qualify for renewal of such waiver.";** and

Further amend said bill, Page 76, Section 338.130, Line 10, by inserting after said line the following:

**"339.010. 1.** A "real estate broker" is any person, partnership, association, or corporation, foreign or domestic who, for another, and for a compensation or valuable consideration, does, or attempts to do, any or all of the following:

- (1) Sells, exchanges, purchases, rents, or leases real estate;
- (2) Offers to sell, exchange, purchase, rent or lease real estate;
- (3) Negotiates or offers or agrees to negotiate the sale, exchange, purchase, rental or leasing of real estate;
- (4) Lists or offers or agrees to list real estate for sale, lease, rental or exchange;
- (5) Buys, sells, offers to buy or sell or otherwise deals in options on real estate or improvements thereon;
- (6) Advertises or holds himself or herself out as a licensed real estate broker while engaged in the business of buying, selling, exchanging, renting, or leasing real estate;
- (7) Assists or directs in the procuring of prospects, calculated to result in the sale, exchange, leasing or rental of real estate;
- (8) Assists or directs in the negotiation of any transaction calculated or intended to result in the sale, exchange, leasing or rental of real estate;

(9) Engages in the business of charging to an unlicensed person an advance fee in connection with any contract whereby the real estate broker undertakes to promote the sale of that person's real estate through its listing in a publication issued for such purpose intended to be circulated to the general public;

(10) Performs any of the foregoing acts [as an employee of, or] on behalf of[,] the owner of real estate, or interest therein, or improvements affixed thereon, for compensation.

2. A "real estate salesperson" is any person who for a compensation or valuable consideration becomes associated, either as an independent contractor or employee, either directly or indirectly, with a real estate broker to do any of the things above mentioned. The provisions of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall not be construed to deny a real estate salesperson who is compensated solely by commission the right to be associated with a broker as an independent contractor.

3. The term "commission" as used in sections 339.010 to 339.180 and sections 339.710 to 339.860 means the Missouri real estate commission.

4. "Real estate" for the purposes of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall mean, and include, leaseholds, as well as any other interest or estate in land, whether corporeal, incorporeal, freehold or nonfreehold, and the real estate is situated in this state.

5. "Advertising" shall mean any communication, whether oral or written, between a licensee or other entity acting on behalf of one or more licensees and the public; it, **and** shall include, but not be limited to, business cards, signs, insignias, letterheads, radio, television, newspaper and magazine ads, Internet advertising, web sites, display or group ads in telephone directories, and billboards.

6. The provisions of sections 339.010 to 339.180 and sections 339.710 to 339.860 shall not apply to:

(1) Any person, partnership, association, or corporation who as owner, lessor, or lessee shall perform any of the acts described in subsection 1 of this section with reference to property owned or leased by them, or to the regular employees thereof[, provided such owner, lessor, or lessee is not engaged in the real estate business];

(2) Any licensed attorney-at-law;

(3) An auctioneer employed by the owner of the property;

(4) Any person acting as receiver, trustee in bankruptcy, administrator, executor, or guardian or while acting under a court order or under the authority of a will, trust instrument or deed of trust or as a witness in any judicial proceeding or other proceeding conducted by the state or any governmental subdivision or agency;

(5) Any person employed or retained to manage real property by, for, or on behalf of the agent or the owner of any real estate shall be exempt from holding a license, if the person is limited to one or more of the following activities:

(a) Delivery of a lease application, a lease, or any amendment thereof, to any person;

(b) Receiving a lease application, lease, or amendment thereof, a security deposit, rental payment, or any related payment, for delivery to, and made payable to, a broker or owner;

(c) Showing a rental unit to any person, as long as the employee is acting under the direct instructions of the broker or owner, including the execution of leases or rental agreements;

(d) Conveying information prepared by a broker or owner about a rental unit, a lease, an application for lease, or the status of a security deposit, or the payment of rent, by any person;

(e) Assisting in the performance of brokers' or owners' functions, administrative, clerical or maintenance tasks;

(f) If the person described in this section is employed or retained by, for, or on behalf of a real estate broker, the real estate broker shall be subject to discipline under this chapter for any conduct of the person that violates this chapter or the regulations promulgated thereunder;

(6) Any officer or employee of a federal agency or the state government or any political subdivision thereof performing official duties;

(7) Railroads and other public utilities regulated by the state of Missouri, or their subsidiaries or affiliated corporations, or to the officers or regular employees thereof, unless performance of any of the acts described in subsection 1 of this section is in connection with the sale, purchase, lease or other disposition of real estate or investment therein unrelated to the principal business activity of such railroad or other public utility or affiliated or subsidiary corporation thereof;

(8) Any bank, trust company, savings and loan association, credit union, insurance company, mortgage banker, or farm loan association organized under the laws of this state or of the United States when engaged in the transaction of business on its own behalf and not for others;

(9) Any newspaper, magazine, periodical, Internet site, Internet communications, or any form of communications regulated or licensed by the Federal Communications Commission or any successor agency or commission whereby the advertising of real estate is incidental to its operation;

(10) Any developer selling Missouri land owned by the developer;

(11) Any employee acting on behalf of a nonprofit community, or regional economic development association, agency or corporation which has as its principal purpose the general promotion and economic advancement of the community at large, provided that such entity:

- (a) Does not offer such property for sale, lease, rental or exchange on behalf of another person or entity;
- (b) Does not list or offer or agree to list such property for sale, lease, rental or exchange; or
- (c) Receives no fee, commission or compensation, either monetary or in kind, that is directly related to sale or disposal of such properties. An economic developer's normal annual compensation shall be excluded from consideration as commission or compensation related to sale or disposal of such properties; or

(12) Any neighborhood association, as that term is defined in section 441.500, RSMo, that without compensation, either monetary or in kind, provides to prospective purchasers or lessors of property the asking price, location, and contact information regarding properties in and near the association's neighborhood, including any publication of such information in a newsletter, Internet site, or other medium."; and

Further amend said bill, Page 77, Section 339.120, Line 61, by inserting after said line the following:

"339.150. 1. No real estate broker shall knowingly employ or engage any person to perform any service to the broker for which licensure as a real estate broker or a real estate salesperson is required pursuant to sections 339.010 to 339.180 and sections 339.710 to 339.860, unless such a person is:

- (1) A licensed real estate salesperson or a licensed real estate broker as required by section 339.020[.]; or
- (2) **For a transaction involving commercial real estate as defined in section 339.710, a person regularly engaged in the real estate brokerage business outside the state of Missouri who has, in such forms as the commission may adopt by rule:**

- (a) Executed a brokerage agreement with the Missouri real estate broker;
- (b) Consented to the jurisdiction of Missouri and the commission;
- (c) Consented to disciplinary procedures under section 339.100; and
- (d) Appointed the commission as his or her agent for service of process regarding any administrative or legal actions relating to the conduct in Missouri; or

- (3) **For any other transaction,** a person regularly engaged in the real estate brokerage business outside of the state of Missouri.

Any such action shall be unlawful as provided by section 339.100 and shall be grounds for investigation, complaint, proceedings and discipline as provided by section 339.100.

2. No real estate licensee shall pay any part of a fee, commission or other compensation received by the licensee to any person for any service rendered by such person to the licensee in buying, selling, exchanging, leasing, renting or negotiating a loan upon any real estate, unless such a person is a licensed real estate salesperson regularly associated with such a broker, or a licensed real estate broker, or a person regularly engaged in the real estate brokerage business outside of the state of Missouri.

3. Notwithstanding the provisions of subsections 1 and 2 of this section, any real estate broker who shall refuse to pay any person for services rendered by such person to the broker, with the consent, knowledge and acquiescence of the broker that such person was not licensed as required by section 339.020, in buying, selling, exchanging, leasing, renting or negotiating a loan upon any real estate for which services a license is required, and who is employed or engaged by such broker to perform such services, shall be liable to such person for the reasonable value of the same or similar services rendered to the broker, regardless of whether or not the person possesses or holds any particular license, permit or certification at the time the service was performed. Any such person may bring a civil action for the reasonable value of his services rendered to a broker notwithstanding the provisions of section 339.160."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 1** was adopted.

Representative Wasson offered **House Amendment No. 2**.

*House Amendment No. 2*

AMEND Senate Committee Substitute for Senate Bill No. 788, Page 50, Section 325.010, Line 17, by inserting after all of said line the following:

- "326.256. 1. As used in this chapter, the following terms mean:
- (1) "AICPA", the American Institute of Certified Public Accountants;
  - (2) "Attest" **or "attest services"**, providing the following financial statement services:
    - (a) Any audit or other engagement to be performed in accordance with the Statements on Auditing Standards (SAS);
    - (b) Any examination of prospective financial information to be performed in accordance with the Statements on Standards for Attestation Engagements (SSAE); **or**
    - (c) **Any engagement to be performed in accordance with the auditing standards and rules of the Public Company Accounting Oversight Board (PCAOB);**
  - (3) "Board", the Missouri state board of accountancy established [pursuant to] **under** section 326.259 or its predecessor pursuant to prior law;
  - (4) "Certificate", a certificate issued [pursuant to] **under** section 326.060 prior to August 28, 2001;
  - (5) "Certified public accountant" or "CPA", the holder of a certificate or license as defined in this section;
  - (6) "Certified public accountant firm", "CPA firm" or "firm", a sole proprietorship, a corporation, a partnership or any other form of organization issued a permit [pursuant to] **under** section 326.289;
  - (7) "Client", a person or entity that agrees with a licensee or licensee's employer to receive any professional service;
  - (8) "Compilation", providing a service to be performed in accordance with Statements on Standards for Accounting and Review Services (SSARS) that is presented in the form of financial statements information that is the representation of management (owners) without undertaking to express any assurance on the statements;
  - (9) **"Home office", the location specified by the client as the address to which attest, compilation, or review services are directed;**
  - (10) "License", a license issued [pursuant to] **under** section 326.280, or [a provisional license issued pursuant to] **privilege to practice under** section 326.283; or, in each case, an individual license or permit issued pursuant to corresponding provisions of prior law;
    - [(10)] (11) "Licensee", the holder of a license as defined in this section;
    - [(11)] (12) "Manager", a manager of a limited liability company;
    - [(12)] (13) "Member", a member of a limited liability company;
    - [(13)] (14) "NASBA", the National Association of State Boards of Accountancy;
    - [(14)] (15) "Peer review", a study, appraisal or review of one or more aspects of the professional work of a licensee or certified public accountant firm that performs attest, review or compilation services, by licensees who are not affiliated either personally or through their certified public accountant firm being reviewed pursuant to the Standards for Performing and Reporting on Peer Reviews promulgated by the AICPA or such other standard adopted by regulation of the board which meets or exceeds the AICPA standards;
    - [(15)] (16) "Permit", a permit to practice as a certified public accountant firm issued [pursuant to] **under** section 326.289 or corresponding provisions of prior law or pursuant to corresponding provisions of the laws of other states;
    - [(16)] (17) "Professional", arising out of or related to the specialized knowledge or skills associated with certified public accountants;
    - [(17)] (18) "Public accounting":
      - (a) Performing or offering to perform for an enterprise, client or potential client one or more services involving the use of accounting or auditing skills, or one or more management advisory or consulting services, or the preparation of tax returns or the furnishing of advice on tax matters by a person, firm, limited liability company or professional corporation using the title "C.P.A." or "P.A." in signs, advertising, directory listing, business cards, letterheads or other public representations;
      - (b) Signing or affixing a name, with any wording indicating the person or entity has expert knowledge in accounting or auditing to any opinion or certificate attesting to the reliability of any representation or estimate in regard to any person or organization embracing financial information or facts respecting compliance with conditions established by law or contract, including but not limited to statutes, ordinances, rules, grants, loans and appropriations; or



(c) Offering to the public or to prospective clients to perform, or actually performing on behalf of clients, professional services that involve or require an audit or examination of financial records leading to the expression of a written attestation or opinion concerning these records;

[(18)] (19) "Report", when used with reference to financial statements, means an opinion, report or other form of language that states or implies assurance as to the reliability of any financial statements, and that also includes or is accompanied by any statement or implication that the person or firm issuing it has special knowledge or competence in accounting or auditing. Such a statement or implication of special knowledge or competence may arise from use by the issuer of the report of names or titles indicating that the person or firm is an accountant or auditor, or from the language of the report itself. The term report includes any form of language which disclaims an opinion when such form of language is conventionally understood to imply any positive assurance as to the reliability of the financial statements referred to or special competence on the part of the person or firm issuing such language, or both, and includes any other form of language that is conventionally understood to imply such assurance or such special knowledge or competence, or both;

[(19)] (20) "Review", providing a service to be performed in accordance with Statements on Standards for Accounting and Review Services (SSARS) that is performing inquiry and analytical procedures that provide the accountant with a reasonable basis for expressing limited assurance that there are no material modifications that should be made to the statements for them to be in conformity with generally accepted accounting principles or, if applicable, with another comprehensive basis of accounting;

[(20)] (21) "State", any state of the United States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands and Guam; except that "this state" means the state of Missouri;

[(21)] (22) "Substantial equivalency" or "**substantially equivalent**", a determination by the board of accountancy or its designee that the education, examination and experience requirements contained in the statutes and administrative rules of another jurisdiction are comparable to or exceed the education, examination and experience requirements contained in this chapter or that an individual certified public accountant's education, examination and experience qualifications are comparable to or exceed the education, examination and experience requirements contained in this chapter;

[(22)] (23) "Transmittal", any transmission of information in any form, including but not limited to any and all documents, records, minutes, computer files, disks or information.

2. The statements on standards specified in this section shall be adopted by reference by the board pursuant to rulemaking and shall be those developed for general application by the AICPA or other recognized national accountancy organization as prescribed by board rule."; and

Further amend said bill, Page 51, Section 326.265, Line 13, by inserting after all of said line the following:

"326.283. 1. (1) An individual whose principal place of business, **domicile, or residency** is not in this state and [has] **who holds** a valid [designation] **and unrestricted license** to practice public accounting from any state which the board **or its designee** has determined by rule to be in substantial equivalence with the licensure requirements of [sections 326.250 to 326.331] **this chapter**, or if the individual's qualifications are substantially equivalent to the licensure requirements of [sections 326.250 to 326.331] **this chapter**, shall be presumed to have qualifications substantially equivalent to this state's requirements and shall have all the privileges of licensees of this state[, provided the individual shall notify the board of his or her intent to engage in the practice of accounting with a client within this state whether in person, by electronic or technological means, or any other manner. The board by rule may require individuals to obtain a license] **without the need to obtain a license or to otherwise notify or register with the board or pay any fee. Provided, however, the board may by rule require individuals with a valid but restricted license to obtain a license.**

(2) [Any] **An individual who qualifies for the privilege to practice under this section, may offer or render professional services in this state, whether in person, by mail, telephone, or electronic means, and no notice or other submission shall be required of any such individual.**

(3) **An individual licensee** of another state exercising the privilege afforded [pursuant to] **under** this section [consents] **and the firm which employs such licensee hereby simultaneously consent**, as a condition of the grant of this privilege [to]:

(a) **To** the personal and subject matter jurisdiction and disciplinary authority of the board;

(b) **To** comply with this chapter and the board's rules; [and]

(c) **That in the event the license from any state is no longer valid or unrestricted, the individual shall cease offering or rendering professional services in this state individually and on behalf of a firm; and**

(d) To the appointment of the state board [which] **that** issued the individual's license as his or her agent upon whom process may be served in any action or proceeding by this board against the individual.

**(4) An individual who has been granted the privilege to practice under this section who performs attest services for an entity with a home office in this state, shall only do so through a firm which has obtained a permit issued under section 326.289.**

[(3)] **(5)** Nothing in this [section] **chapter** shall prohibit temporary practice in this state for professional business incidental to a CPA's regular practice outside this state. "Temporary practice" means that practice [which is a continuation or extension] **related to the direct purpose** of an engagement for a client located outside this state, which engagement began outside this state and extends into this state through common ownership, existence of a subsidiary, assets or other operations located within this state.

2. A licensee of this state offering or rendering services or using his or her certified public accountant title in another state shall be subject to disciplinary action in this state for an act committed in another state for which the licensee would be subject to discipline for an act committed in the other state. Notwithstanding the provisions of section 326.274 to the contrary, the board may investigate any complaint made by the board of accountancy of another state.

326.289. 1. The board may grant or renew permits to practice as a certified public accounting firm to [entities] **applicants** that [make application and] demonstrate their qualifications in accordance with this [section or to certified public accounting firms originally licensed in another state that establish an office in this state. A firm shall hold a permit issued pursuant to this section to provide attest, review or compilation services or to use the title certified public accountant or certified public accounting firm] **chapter**.

**(1) The following shall hold a permit issued under this chapter:**

**(a) Any firm with an office in this state, as defined by the board by rule, performing attest services;**

**(b) Any firm with an office in this state that uses the title "CPA" or "CPA firm"; and**

**(c) Any firm that does not have an office in this state performing attest services for a client having a home office in this state.**

**(2) A firm which does not have an office in this state may perform compilation and review services for a client having a home office in this state and may use the title "CPA" or "CPA firm" without a permit issued under this section only if it:**

**(a) Has the qualifications described in subsections 4 and 9 of this section; and**

**(b) Performs such services through an individual with the privilege to practice under subsection 1 of section 326.283.**

**(3) A firm which is not subject to the requirements of subdivisions (1) or (2) of this subsection may perform other professional services while using the title "CPA" or "CPA firm" in this state without a permit issued under this section only if it:**

**(a) Has qualifications described in subsection 4 of this section;**

**(b) Performs such services through an individual with the privilege to practice under section 326.283; and**

**(c) Can lawfully do so in the state where said individual with privilege to practice has his or her principal place of business.**

2. Permits shall be initially issued and renewed for periods of not more than three years or for a specific period as prescribed by board rule following issuance or renewal.

3. The board shall determine by rule the form for application and renewal of permits and shall annually determine the fees for permits and their renewals.

4. An applicant for initial issuance or renewal of a permit to practice [pursuant to] **under** this section shall be required to show that:

(1) [Notwithstanding any other provision of law to the contrary,] A simple majority of the ownership of the firm, in terms of financial interests and voting rights of all partners, officers, principals, shareholders, members or managers, belongs to licensees who are licensed in some state, and the partners, officers, principals, shareholders, members or managers, whose principal place of business is in this state and who perform professional services in this state are licensees [pursuant to] **under** section 326.280 or the corresponding provision of prior law. Although firms may include nonlicensee owners, the firm and its ownership shall comply with rules promulgated by the board;

(2) Any certified public accounting firm may include owners who are not licensees[, ] provided that:

(a) The firm designates a licensee of this state, **or in the case of a firm which must have a permit under this section designates a licensee of another state who meets the requirements of section 326.283**, who is responsible for the proper registration of the firm and identifies that individual to the board;

(b) All nonlicensee owners are active individual participants in the certified public accounting firm or affiliated entities;

(c) **All owners are of good moral character; and**

(d) The firm complies with other requirements as the board may impose by rule;

(3) Any licensee, initially licensed on or after August 28, 2001, who is responsible for supervising attest services, or signs or authorizes someone to sign the licensee's report on the financial statements on behalf of the firm, shall meet competency requirements as determined by the board by rule which shall include one year of experience in addition to the experience required [pursuant to] **under** subdivision (6) of subsection 1 of section 326.280 and shall be verified by a licensee. The additional experience required by this subsection shall include experience in attest work supervised by a licensee;

(4) Any licensee who is responsible for supervising review services or signs or authorizes someone to sign review reports shall meet the competency requirements as determined by board by rule which shall include experience in review services.

5. An applicant for initial issuance or renewal of a permit to practice shall register each office of the firm within this state with the board and show that all attest, review and compilation services rendered in this state are under the charge of a licensee.

6. No licensee or firm holding a permit [pursuant to] **under** this chapter shall use a professional or firm name or designation that is misleading as to:

(1) The legal form of the firm;

(2) The persons who are partners, officers, members, managers or shareholders of the firm; or

(3) Any other matter.

The names of one or more former partners, members or shareholders may be included in the name of a firm or its successor unless the firm becomes a sole proprietorship because of the death or withdrawal of all other partners, officers, members or shareholders. A firm may use a fictitious name if the fictitious name is registered with the board and is not otherwise misleading. The name of a firm shall not include the name or initials of an individual who is not a present or a past partner, member or shareholder of the firm or its predecessor. The name of the firm shall not include the name of an individual who is not a licensee.

7. Applicants for initial issuance or renewal of permits shall list in their application all states in which they have applied for or hold permits as certified public accounting firms and list any past denial, revocation, suspension or any discipline of a permit by any other state. Each holder of or applicant for a permit [pursuant to] **under** this section shall notify the board in writing within thirty days after its occurrence of any change in the identities of partners, principals, officers, shareholders, members or managers whose principal place of business is in this state; any change in the number or location of offices within this state; any change in the identity of the persons in charge of such offices; and any issuance, denial, revocation, suspension or any discipline of a permit by any other state.

8. Firms which fall out of compliance with the provisions of this section due to changes in firm ownership or personnel after receiving or renewing a permit shall take corrective action to bring the firm back into compliance as quickly as possible. The board may grant a reasonable period of time for a firm to take such corrective action. Failure to bring the firm back into compliance within a reasonable period as defined by the board may result in the suspension or revocation of the firm permit.

9. The board shall require by rule, as a condition to the renewal of permits, that firms undergo, no more frequently than once every three years, peer reviews conducted in a manner as the board shall specify. The review shall include a verification that individuals in the firm who are responsible for supervising attest, review and compilation services or sign or authorize someone to sign the accountant's report on the financial statements on behalf of the firm meet the competency requirements set out in the professional standards for such services, provided that any such rule:

(1) Shall include reasonable provision for compliance by a firm showing that it has within the preceding three years undergone a peer review that is a satisfactory equivalent to peer review generally required [pursuant to] **under** this subsection;

(2) May require, with respect to peer reviews, that peer reviews be subject to oversight by an oversight body established or sanctioned by board rule, which shall periodically report to the board on the effectiveness of the review program under its charge and provide to the board a listing of firms that have participated in a peer review program that is satisfactory to the board; and

(3) Shall require, with respect to peer reviews, that the peer review processes be operated and documents maintained in a manner designed to preserve confidentiality, and that the board or any third party other than the oversight body shall not have access to documents furnished or generated in the course of the peer review of the firm except as provided in subdivision (2) of this subsection.

10. Prior to January 1, 2008, licensees who perform fewer than three attest services during each calendar year shall be exempt from the requirements of subsection 9 of this section.

11. The board may, by rule, charge a fee for oversight of peer reviews, provided that the fee charged shall be substantially equivalent to the cost of oversight.

12. In connection with proceedings before the board or upon receipt of a complaint involving the licensee performing peer reviews, the board shall not have access to any documents furnished or generated in the course of the performance of the peer reviews except for peer review reports, letters of comment and summary review memoranda. The documents shall be furnished to the board only in a redacted manner that does not specifically identify any firm or licensee being peer reviewed or any of their clients.

13. The peer review processes shall be operated and the documents generated thereby be maintained in a manner designed to preserve their confidentiality. No third party, other than the oversight body, the board, subject to the provisions of subsection 12 of this section, or the organization performing peer review shall have access to documents furnished or generated in the course of the review. All documents shall be privileged and closed records for all purposes and all meetings at which the documents are discussed shall be considered closed meetings [pursuant to] **under** subdivision (1) of section 610.021, RSMo. The proceedings, records and workpapers of the board and any peer review subjected to the board process shall be privileged and shall not be subject to discovery, subpoena or other means of legal process or introduction into evidence at any civil action, arbitration, administrative proceeding or board proceeding. No member of the board or person who is involved in the peer review process shall be permitted or required to testify in any civil action, arbitration, administrative proceeding or board proceeding as to any matters produced, presented, disclosed or discussed during or in connection with the peer review process or as to any findings, recommendations, evaluations, opinions or other actions of such committees or any of its members; provided, however, that information, documents or records that are publicly available shall not be subject to discovery or use in any civil action, arbitration, administrative proceeding or board proceeding merely because they were presented or considered in connection with the peer review process.

326.292. 1. Only licensees may issue a report on financial statements of any person, firm, organization or governmental unit or offer to render or render any attest service. Such restriction shall not prohibit any act of a public official or public employee in the performance of the person's duties as such; nor prohibit the performance by any nonlicensee of other services involving the use of accounting skills, including the preparation of tax returns, management advisory services and the preparation of nonattest financial statements. Nonlicensees may prepare financial statements and issue nonattest transmittals or information thereon which do not purport to be in compliance with the Statements on Standards for Accounting and Review Services (SSARS).

2. Only certified public accountants shall use or assume the title certified public accountant, or the abbreviation CPA or any other title, designation, words, letters, abbreviation, sign, card or device tending to indicate that such person is a certified public accountant. Nothing in this section shall prohibit:

(1) A certified public accountant whose certificate was in full force and effect, issued pursuant to the laws of this state prior to August 28, 2001, and who does not engage in the practice of public accounting, auditing, bookkeeping or any similar occupation, from using the title certified public accountant or abbreviation CPA;

(2) A person who holds a certificate, then in force and effect, issued pursuant to the laws of this state prior to August 28, 2001, and who is regularly employed by or is a director or officer of a corporation, partnership, association or business trust, in his or her capacity as such, from signing, delivering or issuing any financial, accounting or related statement, or report thereon relating to such corporation, partnership, association or business trust provided the capacity is so designated, and provided in the signature line the title CPA or certified public accountant is not designated.

3. No firm shall provide attest services or assume or use the title certified public accountants or the abbreviation CPAs, or any other title, designation, words, letters, abbreviation, sign, card or device tending to indicate that such firm is a certified public accounting firm unless:

(1) The firm holds a valid permit issued [pursuant to] **under** section 326.289 or is a firm exempt from the permit requirement under subdivisions (2) and (3) of subsection 1 of section 326.289 and complies with all other applicable provisions of that section; and

(2) Ownership of the firm is in accord with section 326.289 and rules promulgated by the board.

4. Only persons holding a valid license or permit issued [pursuant to] **under** section 326.280 or 326.289, or persons qualifying for the privilege to practice under section 326.283, and firms exempt from the permit requirement under subsection 1 of section 326.289, shall assume or use the title certified accountant, chartered accountant, enrolled accountant, licensed accountant, registered accountant, accredited accountant or any other title or designation likely to be confused with the titles certified public accountant or public accountant, or use any of the abbreviations CA, LA, RA, AA or similar abbreviation likely to be confused with the abbreviation CPA or PA. The title

enrolled agent or EA shall only be used by individuals so designated by the Internal Revenue Service. Nothing in this section shall prohibit the use or issuance of a title for nonattest services provided that the organization and the title issued by the organization existed prior to August 28, 2001.

5. (1) Nonlicensees shall not use language in any statement relating to the financial affairs of a person or entity that is conventionally used by certified public accountants in reports on financial statements. Nonlicensees may use the following safe harbor language:

(a) For compilations:

"I (We) have prepared the accompanying (financial statements) of (name of entity) as of (time period) for the (period) then ended. This presentation is limited to preparing in the form of a financial statement information that is the representation of management (owners). I (We) have not audited or reviewed the accompanying financial statements and accordingly do not express an opinion or any other form of assurance on them.";

(b) For reviews:

"I (We) reviewed the accompanying (financial statements) of (name of entity) as of (time period) for the (period) then ended. These financial statements (information) are (is) the responsibility of the company's management. I (We) have not audited the accompanying financial statements and accordingly do not express an opinion or any other form of assurance on them.".

(2) Only persons or firms holding a valid license or permit issued [pursuant to] **under** section 326.280 or 326.289 shall assume or use any title or designation that includes the words accountant or accounting in connection with any other language, including the language of a report, that implies that the person or firm holds a license or permit or has special competence as an accountant or auditor; provided, however, that this subsection shall not prohibit any officer, partner, principal, member, manager or employee of any firm or organization from affixing such person's own signature to any statement in reference to the financial affairs of the firm or organization with any wording designating the position, title or office that the person holds therein nor prohibit any act of a public official or employee in the performance of the person's duties as such. Nothing in this subsection shall prohibit the singular use of "accountant" or "accounting" for nonattest purposes.

6. Licensees signing or authorizing someone to sign reports on financial statements when performing attest, review or compilation services shall provide those services in accordance with professional standards as determined by the board by rule.

7. No licensee [or holder of a provisional license] or firm holding a permit [pursuant to] **under** sections 326.280 to 326.289 shall use a professional or firm name or designation that is misleading about the legal form of the firm, or about the persons who are partners, principals, officers, members, managers or shareholders of the firm, or about any other matter.

8. None of the foregoing provisions of this section shall apply to a person or firm holding a certification, designation, degree or license granted in a foreign country entitling the holder to engage in the practice of public accounting or its equivalent in the country whose activities in this state are limited to the provision of professional services to persons or firms who are residents of, governments of, or business entities of the country in which the person holds the entitlement, who performs no attest, review or compilation services and who issues no reports with respect to the financial statements of any other persons, firms or governmental units in this state, and who does not use in this state any title or designation other than the one under which the person practices in such country, followed by a translation of such title or designation into the English language, if it is in a different language, and by the name of such country.

9. No licensee whose license is issued [pursuant to] **under** section 326.280 or issued pursuant to prior law shall perform attest services through any certified public accounting firm that does not hold a valid permit issued [pursuant to] **under** section 326.289.

10. Nothing herein shall prohibit a practicing attorney or firm of attorneys from preparing or presenting records or documents customarily prepared by an attorney or firm of attorneys in connection with the attorney's professional work in the practice of law.

11. Nothing herein shall prohibit any trustee, executor, administrator, referee or commissioner from signing and certifying financial reports incident to his or her duties in that capacity.

12. Nothing herein shall prohibit any director or officer of a corporation, partner or a partnership, sole proprietor of a business enterprise, member of a joint venture, member of a committee appointed by stockholders, creditors or courts, or an employee of any of the foregoing, in his or her capacity as such, from signing, delivering or issuing any financial, accounting or related statement, or report thereon, relating to the corporation, partnership, business enterprise, joint venture or committee, provided the capacity is designated on the statement or report.

13. (1) A licensee shall not for a commission recommend or refer to a client any product or service, or for a commission recommend or refer any product or service to be supplied by a client, or receive a commission, when the licensee also performs for that client:

- (a) An audit or review of a financial statement; or
- (b) A compilation of a financial statement when the licensee expects, or reasonably may expect, that a third party will use the financial statement and the licensee's compilation report does not disclose a lack of independence; or
- (c) An examination of prospective financial information.

Such prohibition applies during the period in which the licensee is engaged to perform any of the services listed above and the period covered by any historical financial statements involved in such listed services.

(2) A licensee who is not prohibited by this section from performing services for or receiving a commission and who is paid or expects to be paid a commission shall disclose in writing that fact to any person or entity to whom the licensee recommends or refers a product or service to which the commission relates.

(3) Any licensee who accepts a referral fee for recommending or referring any service of a licensee to any person or entity or who pays a referral fee to obtain a client shall disclose in writing the acceptance or payment to the client.

14. (1) A licensee shall not:

(a) Perform for a contingent fee any professional services for, or receive a fee from, a client for whom the licensee or the licensee's firm performs:

- a. An audit or review of a financial statement; or
  - b. A compilation of a financial statement when the licensee expects, or reasonably might expect, that a third party will use the financial statement and the licensee's compilation report does not disclose a lack of independence; or
  - c. An examination of prospective financial information;
- (b) Prepare an original tax return or claim for a tax refund for a contingent fee for any client; or
- (c) Prepare an amended tax return or claim for a tax refund for a contingent fee for any client, unless permitted by board rule.

(2) The prohibition in subdivision (1) of this subsection applies during the period in which the licensee is engaged to perform any of those services and the period covered by any historical financial statements involved in any services.

(3) A contingent fee is a fee established for the performance of any service pursuant to an arrangement in which no fee will be charged unless a specified finding or result is attained, or in which the amount of the fee is otherwise dependent upon the finding or result of the service. Solely for purposes of this section, fees are not regarded as being contingent if fixed by courts or other public authorities, or, in tax matters, if determined based on the results of judicial proceedings or the findings of governmental agencies. A licensee's fees may vary depending, for example, on the complexity of services rendered.

15. Any person who violates any provision of subsections 1 to 5 of this section shall be guilty of a class A misdemeanor. Whenever the board has reason to believe that any person has violated this section it may certify the facts to the attorney general of this state or bring other appropriate proceedings."; and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

On motion of Representative Wasson, **House Amendment No. 2** was adopted.

Representative Sutherland offered **House Amendment No. 3**.

*House Amendment No. 3*

AMEND Senate Committee Substitute for Senate Bill No. 788, Page 11, Section 135.520, Line 47, by inserting immediately after said line the following:

"144.011. 1. For purposes of sections 144.010 to 144.525 and 144.600 to 144.748, and the taxes imposed thereby, the definition of "retail sale" or "sale at retail" shall not be construed to include any of the following:

- (1) The transfer by one corporation of substantially all of its tangible personal property to another corporation pursuant to a merger or consolidation effected under the laws of the state of Missouri or any other jurisdiction;

(2) The transfer of tangible personal property incident to the liquidation or cessation of a taxpayer's trade or business, conducted in proprietorship, partnership or corporate form, except to the extent any transfer is made in the ordinary course of the taxpayer's trade or business;

(3) The transfer of tangible personal property to a corporation solely in exchange for its stock or securities;

(4) The transfer of tangible personal property to a corporation by a shareholder as a contribution to the capital of the transferee corporation;

(5) The transfer of tangible personal property to a partnership solely in exchange for a partnership interest therein;

(6) The transfer of tangible personal property by a partner as a contribution to the capital of the transferee partnership;

(7) The transfer of tangible personal property by a corporation to one or more of its shareholders as a dividend, return of capital, distribution in the partial or complete liquidation of the corporation or distribution in redemption of the shareholder's interest therein;

(8) The transfer of tangible personal property by a partnership to one or more of its partners as a current distribution, return of capital or distribution in the partial or complete liquidation of the partnership or of the partner's interest therein;

(9) The transfer of reusable containers used in connection with the sale of tangible personal property contained therein for which a deposit is required and refunded on return;

(10) The purchase by persons operating eating or food service establishments, of items of a nonreusable nature which are furnished to the customers of such establishments with or in conjunction with the retail sales of their food or beverage. Such items shall include, but not be limited to, wrapping or packaging materials and nonreusable paper, wood, plastic and aluminum articles such as containers, trays, napkins, dishes, silverware, cups, bags, boxes, straws, sticks and toothpicks;

(11) The purchase by persons operating hotels, motels or other transient accommodation establishments, of items of a nonreusable nature which are furnished to the guests in the guests' rooms of such establishments and such items are included in the charge made for such accommodations. Such items shall include, but not be limited to, soap, shampoo, tissue and other toiletries and food or confectionery items offered to the guests without charge;

(12) The transfer of a manufactured home other than:

(a) A transfer which involves the delivery of the document known as the "Manufacturer's Statement of Origin" to a person other than a manufactured home dealer, as defined in section [700.450] **700.010**, RSMo, for purposes of allowing such person to obtain a title to the manufactured home from the department of revenue of this state or the appropriate agency or officer of any other state;

(b) A transfer which involves the delivery of a "Repossessed Title" to a resident of this state if the tax imposed by sections 144.010 to 144.525 was not paid on the transfer of the manufactured home described in paragraph (a) of this subdivision;

(c) The first transfer which occurs after December 31, 1985, if the tax imposed by sections 144.010 to 144.525 was not paid on any transfer of the same manufactured home which occurred before December 31, 1985; or

(13) Charges for initiation fees or dues to:

(a) Fraternal beneficiaries societies, or domestic fraternal societies, orders or associations operating under the lodge system a substantial part of the activities of which are devoted to religious, charitable, scientific, literary, educational or fraternal purposes; or

(b) Posts or organizations of past or present members of the armed forces of the United States or an auxiliary unit or society of, or a trust or foundation for, any such post or organization substantially all of the members of which are past or present members of the armed forces of the United States or who are cadets, spouses, widows, or widowers of past or present members of the armed forces of the United States, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

2. The assumption of liabilities of the transferor by the transferee incident to any of the transactions enumerated in the above subdivisions (1) to (8) of subsection 1 of this section shall not disqualify the transfer from the exclusion described in this section, where such liability assumption is related to the property transferred and where the assumption does not have as its principal purpose the avoidance of Missouri sales or use tax."; and

Further amend said substitute, Page 126, Section 620.1063, Line 14, by inserting immediately after said line the following:

"700.010. As used in sections 700.010 to 700.500, for the purpose of sections 700.010 to 700.500, the following terms mean:

(1) "Authorized representative", any person, firm or corporation, or employee thereof, approved or hired by the commission to perform inspection services;

(2) "Code", the standards relating to manufactured homes, or modular units as adopted by the commission. The commission, in its discretion, may incorporate, in whole or in part, the standards codes promulgated by the American National Standards Institute, the United States Department of Housing and Urban Development or other recognized agencies or organizations;

(3) "Commission", the public service commission;

(4) "Dealer", any person, other than a manufacturer, who sells or offers for sale four or more **used homes or one or more new** manufactured homes, or **one or more new** modular units in any consecutive twelve-month period;

(5) **"Installer", an individual who is licensed by the commission to install manufactured homes under sections 700.650 to 700.692;**

(6) "Manufactured home", a factory-built structure or structures which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, contains three hundred twenty or more square feet, equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner;

[(6)] (7) "Manufacturer", any person who manufactures manufactured homes, or modular units, including persons who engage in importing manufactured homes, or modular units for resale;

[(7)] (8) "Modular unit", a transportable building unit designed to be used by itself or to be incorporated with similar units at a point-of-use into a modular structure to be used for residential, commercial, educational or industrial purposes. This definition shall not apply to structures under six hundred fifty square feet used temporarily and exclusively for construction site office purposes;

[(8)] (9) "New", being sold or offered for sale to the first purchaser for purposes other than resale;

[(9)] (10) "Person", an individual, partnership, corporation or other legal entity;

[(10)] (11) "Premises", a lot, plot, or parcel of land including the buildings, structures, and manufactured homes thereon;

[(11)] (12) "Recreational park trailer", a recreational park trailer as defined in the American National Standards Institute (ANSI) A119.5 Standard on Recreational Park Trailers. A recreational park trailer is not a recreational vehicle;

[(12)] (13) "Recreational vehicle", a recreational vehicle as defined in the American National Standards Institute (ANSI) A119.2 Standard on Recreational Vehicles;

[(13)] (14) "Seal", a device, label or insignia issued by the public service commission, U.S. Department of Housing and Urban Development, or its agent, to be displayed on the exterior of the manufactured home, or modular unit to evidence compliance with the code;

[(14)] (15) "Setup", the operations performed at the occupancy site which renders a manufactured home or modular unit fit for habitation, which operations include, but are not limited to, moving, blocking, leveling, supporting, and assembling multiple or expandable units.

**700.041. 1. There is hereby established a fund in the state treasury to be known as the "Manufactured Housing Consumer Recovery Fund" for the purpose of paying consumer claims under procedures the commission may promulgate by rule. The public service commission shall administer the manufactured housing consumer recovery fund and all moneys in the fund shall be used solely as prescribed in this section. Any interest earned from the investment of moneys in the fund shall be credited to the fund.**

**2. Claims approved by the commission under law may be paid from the fund subject to appropriation. No claims shall be considered by the commission until all other legal remedies have been exhausted. The commission shall establish an advisory committee to assist with the evaluation of all claims filed by consumers. The committee members shall be volunteers and serve without compensation.**

**3. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, moneys in the manufactured housing consumer recovery fund shall not be transferred to the credit of the general revenue fund at the end of the biennium; however, the total amount in the manufactured housing consumer recovery fund shall not exceed thirty-two percent of the amount of the annual appropriation of the manufactured housing fund from the preceding fiscal year. Moneys in the manufactured housing consumer recovery fund may be transferred back to the manufactured housing fund by appropriation.**



700.045. It shall be a misdemeanor:

- (1) For a manufacturer or dealer to manufacture, rent, lease, sell or offer to sell any manufactured home or modular unit after January 1, 1977, unless there is in effect a registration with the commission;
- (2) To rent, lease, sell or offer to sell any new manufactured home or new modular unit or used modular unit used for educational purposes manufactured after January 1, 1974, which does not bear a seal as required by sections 700.010 to 700.115;
- (3) To affix a seal or cause a seal to be affixed to any manufactured home or modular unit which does not comply with the code;
- (4) To alter a manufactured home or modular unit in a manner prohibited by the provisions of sections 700.010 to 700.115;
- (5) To fail to correct within a reasonable time not to exceed ninety days after being ordered to do so in writing by an authorized representative of the commission a code violation in a new manufactured home or new modular unit or used modular unit used for educational purposes owned, manufactured or sold if the same is manufactured after January 1, 1974. **Reasonable and necessary extensions may be granted by the commission;** or
- (6) To interfere with, obstruct, or hinder any authorized representative of the commission in the performance of his or her duties.

700.056. Every dealer of a **new** manufactured home offered for sale in this state shall at the time of sale provide the purchaser with a bill of sale **or the purchase agreement** containing at least the following: The total price of the unit, **serial number if available, if not, the manufacturer name and model number of the unit**, and its contents, **any waivers**, a list of all furniture and appliances in the manufactured home, any other costs which will be assessed to the purchaser **by the dealer** such as transportation, handling, or such other costs, and the sales tax payable for such manufactured home.

700.065. All **new** manufactured homes located in this state shall be anchored and tied down in accordance with the standards promulgated by the commission pursuant to the provisions of sections 700.010 to 700.115 **and 700.650 to 700.692**.

700.090. 1. Every manufacturer or dealer [of manufactured homes] who sells or offers for sale, on consignment or otherwise, a manufactured home or modular unit from or in the state of Missouri shall register [each location] with the commission **each place of business at which the manufacturer or dealer sells or offers for sale a manufactured home or modular unit**.

2. The commission shall issue a certificate of registration to a manufacturer who:

- (1) Completes and files with the commission an application for registration which contains the following information:
  - (a) The name of the manufacturer;
  - (b) The address of the manufacturer and addresses of each factory owned or operated by the manufacturer, if different from the address of the manufacturer;
  - (c) If a corporation, the state of original incorporation, a list of the names and addresses of all officers and directors of the corporation, and proof of the filing of all franchise and sales tax forms required by Missouri law;
  - (d) If not a corporation, the name and address of the managing person or persons responsible for overall operation of the manufacturer;
- (2) Files with the commission an initial registration fee of seven hundred fifty dollars in the form of a cashier's check or money order made payable to the state of Missouri.

3. The commission shall issue a certificate of registration to a dealer who:

- (1) Completes and files with the commission an application for registration which contains the following information:
  - (a) The name of the dealer;
  - (b) The business address of the dealer and addresses of each separate facility owned and operated by the dealer from which manufactured homes or modular units are offered for sale if different from the business address of the dealer;
  - (c) If a corporation, the state of original incorporation, a list of the names and addresses of all officers and directors of the corporation, proof of the filing of all franchise and sales tax forms required by Missouri law;
  - (d) If not a corporation, the name and address of the managing person or persons responsible for the overall operations of the manufacturer;
- (2) Files with the commission an initial registration fee of two hundred dollars in the form of a cashier's check or money order made payable to the state of Missouri;

(3) Files with the commission proof of compliance with the provisions of section 301.280, RSMo.

4. The registration of any manufacturer or dealer shall be effective for a period of one year and shall be renewed by the commission upon receipt by it from the registered dealer of a renewal fee of seven hundred fifty dollars for manufacturers and two hundred dollars for dealers and a form provided by the commission upon which shall be placed any changes from the information requested on the initial registration form.

5. The commission may stagger the renewal of certificates of registration to provide for more equal distribution over the twelve months of the number of registration renewals.

**700.095. 1. Every dealer shall, on or before January fifteenth of each year, make application for registration or renewal and shall be required to maintain a bona fide established place of business and maintain a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading, or exchanging of manufactured homes or modular units where the public may contact the owner or operator at any reasonable time and where the books, records, files, and other matter required and necessary to conduct the business shall be kept and maintained.**

**2. The application shall contain the business address, not a post-office box address, and telephone number of the place where the books, records, files, and other matters required and necessary to conduct the business are located and where the same may be inspected during normal daytime business hours.**

**3. Each application shall contain such additional information as may be required by the commission to enable it to determine whether the applicant is a bona fide dealer in fact and is of good moral character.**

**4. Upon the payment of a registration or renewal fee of two hundred dollars, there shall be assigned to each dealer a certificate of registration in such form as the commission shall prescribe.**

**700.096. 1. Each person registered as a dealer under the provisions of sections 700.010 to 700.115 shall file monthly reports with the commission, and such reports shall be in the form and manner and contain the information required by the commission by rules promulgated under chapter 536, RSMo, and shall permit an employee of the commission or any law enforcement official to inspect during normal business hours any of the following documents which are in his or her possession or under his or her control:**

**(1) Any manufacturer's invoice, certificate of origin, statement of origin, or title to any manufactured home or modular unit;**

**(2) Any application for title to any manufactured home;**

**(3) Any affidavit provided under chapter 301, RSMo, or chapter 407, RSMo;**

**(4) Any assignment of title to any manufactured home;**

**(5) Any disclosure statement or other document required by the laws of the United States or any other state.**

**2. For purposes of this section, the term "law enforcement official" means any of the following:**

**(1) The attorney general, or any person designated by him or her to make such an inspection;**

**(2) Any prosecuting attorney or any person designated by a prosecuting attorney to make such an inspection;**

**(3) Any member of the highway patrol;**

**(4) Any sheriff or deputy sheriff;**

**(5) Any peace officer certified under chapter 590, RSMO, acting in his or her official capacity.**

**700.097. No insurance company, finance company, bank, or trust company shall be required to register with the commission in order to sell any manufactured home or modular unit repossessed or purchased by the company on the basis of total destruction or theft thereof when the sale of the manufactured home or modular unit is in conformance with applicable title and registration laws of this state.**

**700.098. 1. The commission may refuse to register an applicant as a dealer, or may suspend the registration of an existing dealer from one day to thirty days, or revoke the registration of a dealer after a written notice and a hearing when the commission is satisfied that the applicant or dealer has failed to comply with the provisions set out in sections 700.010 to 700.115. Notification of unfavorable action by the commission on any application for registration or renewal of registration shall be accompanied by a notice informing the recipient that the decision of the director may be appealed as provided in chapter 386, RSMo.**

**2. It shall be unlawful for any person to hold forth or act as a dealer who is not currently registered as a dealer by the commission as required by sections 700.010 to 700.115.**

700.100. 1. The commission may refuse to register or refuse to renew the registration of any person who fails to comply with the provisions of [section 700.090 or this section] **sections 700.010 to 700.115**. Notification of unfavorable action by the commission on any application for registration or renewal of registration must be delivered to the applicant within thirty days from date it is received by the commission. Notification of unfavorable action by the commission on any application for registration or renewal of registration must be accompanied by a notice informing the recipient that the decision of the commission may be appealed as provided in chapter 386, RSMo.

2. The commission may consider a complaint filed with it charging a registered manufacturer or dealer with a violation of the provisions of this section, which charges, if proven, shall constitute grounds for revocation or suspension of his registration, or the placing of the registered manufacturer or dealer on probation.

3. The following specifications shall constitute grounds for the suspension, revocation or placing on probation of a manufacturer's or dealer's registration:

- (1) If required, failure to comply with the provisions of section 301.280, RSMo;
- (2) Failing to be in compliance with the provisions of section 700.090;
- (3) If a corporation, failing to file all franchise or sales tax forms required by Missouri law;
- (4) Engaging in any conduct which constitutes a violation of the provisions of section 407.020, RSMo;
- (5) Failing to comply with the provisions of Sections 2301-2312 of Title 15 of the United States Code (Magnuson-Moss Warranty Act);
- (6) As a dealer, failing to arrange for the proper initial setup of any new manufactured home or modular unit sold from or in the state of Missouri, [unless] **except as allowed under subsection 5 of section 700.656**; the dealer [receives] **shall receive** a written waiver of that service from the purchaser or his or her authorized agent;
- (7) Requiring any person to purchase any type of insurance from that manufacturer or dealer as a condition to his being sold any manufactured home or modular unit;
- (8) Requiring any person to arrange financing or utilize the services of any particular financing service as a condition to his being sold any manufactured home or modular unit; provided, however, the registered manufacturer or dealer may reserve the right to establish reasonable conditions for the approval of any financing source;
- (9) Engaging in conduct in violation of section 700.045;
- (10) Failing to comply with the provisions of section 301.210, RSMo;
- (11) Failing to pay all necessary fees and assessments authorized pursuant to sections 700.010 to 700.115.

**4. The commission may order that any suspension, revocation, or probation ordered under subsection 3 of this section shall apply to all manufacturer's or dealer's registrations that are held by the same manufacturer or dealer or that are owned or controlled by the same person or persons if a continued and consistent pattern of the violations have been identified by the commission to be present with each licensee under the same control or ownership.**

700.115. 1. Except as otherwise provided in subsections 2 and 3 of this section, a violation of the provisions of sections 700.010 to 700.115 shall constitute a violation of the provisions of section 407.020, RSMo. In addition to the authority vested in the attorney general to enforce the provisions of that section, he may petition the court and the court may enter an order revoking the registration certificate of the defendant or defendants issued pursuant to the provisions of section 700.090.

2. Notwithstanding any provisions of subsection 1 of this section to the contrary, whoever violates any provision of this chapter shall be liable to the state of Missouri for a civil penalty in an amount which shall not exceed one thousand dollars for each such violation. **If, after a hearing, the commission finds that the person has violated any provision of this chapter, it may direct its general counsel to enforce the provisions of this section by filing a petition in circuit court for such civil penalties.** Each violation of this chapter shall constitute a separate violation with respect to each manufactured home or **modular unit** or with respect to each failure or refusal to allow or perform an act required by this chapter; except that, the maximum civil penalty may not exceed one million dollars for any related series of violations occurring within one year from the date of the first violation.

3. Any individual or director, officer, or agent of a corporation who knowingly and willfully violates any provision of sections 700.010 to 700.115, in a manner which threatens the health or safety of any purchaser, shall, upon conviction therefor, be fined not more than one thousand dollars or imprisoned for not more than one year, or both.

700.525. As used in sections 700.525 to 700.541, the following terms mean:

- (1) "Abandoned", a physical absence from the property, and either:
  - (a) Failure by a renter of real property to pay any required rent for fifteen consecutive days, along with the discontinuation of utility service to the rented property for such period; or
  - (b) Indication of or notice of abandonment of real property rented from a landlord;

(2) "Manufactured home", a factory-built structure as defined in subdivision [(5)] (6) or [(7)] (8) of section 700.010.

700.650. 1. Sections 700.650 to 700.692 shall be known and may be cited as the "Manufactured Home Installation Act".

2. For the purposes of sections 700.650 to 700.692, the following terms shall mean:

(1) "Applicant", a person who applies to the commission for a license or limited-use license to install manufactured homes;

(2) "Commission", the Missouri public service commission;

(3) "Dealer", any person, other than a manufacturer, who sells or offers for sale four or more **used homes or one or more new** manufactured homes, **or one or more new modular units** in any consecutive twelve-month period;

(4) "Installation", work undertaken at the place of occupancy to ensure the proper initial setup of a manufactured home which shall include the joining of all sections of the home, installation of stabilization, support, and leveling systems, assembly of multiple or expanded units, and installation of applicable utility hookups and anchoring systems that render the home fit for habitation;

(5) "Installation standards", reasonable specifications for the installation of a manufactured home;

(6) "Installer", an individual who is licensed by the commission to install manufactured homes, pursuant to sections 700.650 to [700.680] **700.692**;

(7) "Manufactured home", a manufactured home as that term is defined in subdivision [(5)] (6) of section 700.010;

(8) "Manufacturer", any person who manufactures manufactured homes, including persons who engage in importing manufactured homes for resale; and

(9) "Person", an individual, partnership, corporation, or other legal entity."; and

Further amend said substitute, Page 135, Line 52, by inserting immediately after said line the following:

"[700.070. Effective November 27, 1973, all purchasers of manufactured homes shall, within thirty days from the date of occupancy, anchor and secure the manufactured home in accordance with the standards promulgated by the commission pursuant to the provisions of sections 700.010 to 700.115.]

[700.450. As used in sections 700.450 to 700.470, the following terms shall mean:

(1) "Commission", the public service commission;

(2) "Dealer", any person, including, but not limited to, real estate brokers and salespersons, other than a manufacturer, who sells or offers for sale four or more manufactured homes in any consecutive twelve-month period;

(3) "Manufactured home", a factory-built structure or structures which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, contains three hundred twenty or more square feet, equipped with the necessary service connections and made so as to be readily movable as a unit or units on its or their own running gear and designed to be used as a dwelling unit or units with or without a permanent foundation. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon may be moved from time to time at the convenience of the owner;

(4) "Manufacturer", any person who manufactures manufactured homes, including persons who engage in importing manufactured homes for resale;

(5) "Person", any individual, partnership, corporation or other legal entity.]

[700.455. 1. Every dealer shall, on or before January fifteenth of each year, instead of registering each manufactured home dealt in, make a verified application, upon a blank for such purpose to be furnished by the commission, for a distinctive number for all the manufactured homes dealt in or controlled by such dealer. The application shall contain, but need not be limited to:

(1) When the applicant is a partnership, the name and address of each partner, or, when the applicant is a corporation, the names of the principal officers of the corporation and the state in which it is incorporated. The application shall be verified by the oath or affirmation of the applicant, if an individual, or in the event an applicant is a partnership or corporation, then by a partner or officer;

(2) A bona fide established place of business shall be required for every dealer. A bona fide established place of business for any dealer shall include a permanent enclosed building or structure, either owned in fee or leased and actually occupied as a place of business by the applicant for the selling, bartering, trading or exchanging of manufactured homes, where the public may contact the owner or operator at any reasonable time and where the books, records, files and other matters required and necessary to conduct the business shall be kept and maintained.

2. The application shall contain the business address, not a post-office box, and telephone number of the place where the books, records, files and other matters required and necessary to conduct the business are located and where the same may be inspected during normal daytime business hours.

3. Each application shall contain such additional information as may be required by the commission to enable it to determine whether the applicant is a bona fide dealer in fact and is of good moral character.

4. On the payment of a registration fee of fifty dollars there shall be assigned to each dealer a certificate of registration in such form as the commission shall prescribe.]

[700.460. 1. Each person registered as a dealer pursuant to the provisions of sections 700.450 to 700.470 shall file monthly reports with the commission, which reports shall be in the form and manner and contain the information required by the commission by rules promulgated pursuant to chapter 536, RSMo, and shall permit an employee of the commission or any law enforcement official to inspect, during normal business hours, any of the following documents which are in his possession or under his custody or control:

- (1) Any title to any manufactured home;
- (2) Any application for title to any manufactured home;
- (3) Any affidavit provided pursuant to chapter 301 or 407, RSMo;
- (4) Any assignment of title to any manufactured home;
- (5) Any disclosure statement or other document required by the laws of the United States or any other state.

2. For purposes of this section, the term "law enforcement official" shall mean any of the following:

- (1) Attorney general, or any person designated by him to make such an inspection;
- (2) Any prosecuting attorney or any person designated by a prosecuting attorney to make such an inspection;
- (3) Any member of the highway patrol;
- (4) Any sheriff or deputy sheriff;
- (5) Any peace officer certified pursuant to chapter 590, RSMo, acting in his official capacity.]

[700.465. No insurance company, finance company, bank or trust company shall be required to register with the commission in order to sell any manufactured home repossessed or purchased by the company on the basis of total destruction or theft thereof when the sale of the manufactured home is in conformance with applicable title and registration laws of this state.]

[700.470. 1. The commission may refuse to register an applicant as a dealer, or may suspend the registration of an existing dealer from one day to thirty days, or revoke the registration of a dealer, after a written notice and a hearing when he is satisfied that the applicant or dealer has failed to comply with the provisions set out in sections 700.450 to 700.470. Notification of unfavorable action by the commission on any application for registration or renewal of registration must be accompanied by a notice informing the recipient that the decision of the director may be appealed as provided in chapter 536, RSMo.

2. It shall be unlawful for any person to hold forth or act as a dealer who is not currently registered as a dealer by the commission as required by sections 700.450 to 700.470.]" and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Cunningham (86) offered **House Substitute Amendment No. 1 for House Amendment No. 3**.

**House Substitute Amendment No. 1 for House Amendment No. 3** was withdrawn.

On motion of Representative Sutherland, **House Amendment No. 3** was adopted.

Representative Cooper (155) offered **House Amendment No. 4**.

**House Amendment No. 4** was withdrawn.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Bivins	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Ervin	Faith	Fares	Fisher	Flook
Franz	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 110	Haywood	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	McClanahan	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 123	Cooper 120	Corcoran	El-Amin
Emery	Funderburk	Grisamore	Harris 23	Hunter
Johnson	Lowe 44	Marsh	Meadows	Meiners
Robinson	Spreng	Young		

VACANCIES: 002

On motion of Representative Wasson, **SCS SB 788, as amended**, was read the third time and passed by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dougherty
Dusenberg	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zweifel	Mr Speaker			

NOES: 011

Bringer	Burnett	Donnelly	Frame	Hughes
Rucker	Talboy	Vogt	Whorton	Wright-Jones
Zimmerman				

PRESENT: 001

Oxford

## 1871 *Journal of the House*

ABSENT WITH LEAVE: 017

Avery	Cooper 120	Corcoran	El-Amin	Emery
Funderburk	Harris 23	Hunter	Johnson	Lowe 44
Marsh	Meadows	Meiners	Robinson	Spreng
Stevenson	Young			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SS HB 1678, as amended**, relating to education for military children, was taken up by Representative Day.

On motion of Representative Day, **SS HB 1678, as amended**, was adopted by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	May
McClanahan	McGhee	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 001

Wallace



PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Cooper 120	Corcoran	El-Amin	Emery
Funderburk	Harris 23	Hughes	Hunter	Johnson
LeVota	Lowe 44	Marsh	Meadows	Meiners
Robinson	Spreng	Stevenson	Vogt	Young
Mr Speaker				

VACANCIES: 002

On motion of Representative Day, **SS HB 1678, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 140

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hughes	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

NOES: 001

Wallace

PRESENT: 000

## 1873 *Journal of the House*

ABSENT WITH LEAVE: 020

Avery	Cooper 120	Corcoran	El-Amin	Emery
Harris 23	Hubbard	Hunter	Johnson	Marsh
Meadows	Meiners	Nolte	Quinn 7	Robinson
Spreng	Stevenson	Vogt	Young	Mr Speaker

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**SCS HCS HB 2034, as amended**, relating to firearm ranges and hunting preserves, was taken up by Representative Munzlinger.

On motion of Representative Munzlinger, **SCS HCS HB 2034, as amended**, was adopted by the following vote:

AYES: 143

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 001

Oxford

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Bland	El-Amin	Harris 23	Haywood
Hunter	Johnson	Low 39	Lowe 44	Marsh
Robinson	Salva	Spreng	Stevenson	Vogt
Wright-Jones	Young			

VACANCIES: 002

On motion of Representative Munzlinger, **SCS HCS HB 2034, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Loehner
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 001

Oxford

PRESENT: 000

## 1875 *Journal of the House*

ABSENT WITH LEAVE: 018

Avery	Bland	Cooper 155	El-Amin	Harris 23
Haywood	Hunter	Johnson	Lipke	Low 39
Lowe 44	Marsh	Robinson	Salva	Spreng
Stevenson	Vogt	Young		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

### BILLS IN CONFERENCE

**CCR HCS SS SCS SB 931, as amended**, relating to agriculture incentives and programs, was taken up by Representative Munzlinger.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Baker 123	Bivins	Brandom	Brown 30	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schoeller	Self	Silvey	Smith 14
Smith 150	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wells	Weter	Whorton	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 055

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Corcoran	Curls	Darrough
Donnelly	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	McClanahan
Meadows	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger

Talboy	Todd	Villa	Vogt	Walsh
Walton	Wildberger	Witte	Yaeger	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	El-Amin	Haywood	Hodges	Johnson
Jones 89	Lowe 44	Marsh	Meiners	Robinson
Salva	Schneider	Spreng	Stevenson	Wright-Jones
Young	Zimmerman			

VACANCIES: 002

On motion of Representative Munzlinger, **CCR HCS SS SCS SB 931, as amended**, was adopted by the following vote:

AYES: 139

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
May	McClanahan	McGhee	Meadows	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zweifel	Mr Speaker	

NOES: 005

Burnett	Flook	Lampe	Norr	Skaggs
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PRESENT: 000

## 1877 *Journal of the House*

ABSENT WITH LEAVE: 017

Avery	Chappelle-Nadal	Cooper 120	El-Amin	Fallert
Haywood	Johnson	Lowe 44	Marsh	Meiners
Robinson	Salva	Spreng	Stevenson	Wright-Jones
Young	Zimmerman			

VACANCIES: 002

On motion of Representative Munzlinger, **CCS HCS SS SCS SB 931** was truly agreed to and finally passed by the following vote:

AYES: 136

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Moore	Munzlinger	Nance
Nasheed	Nieves	Nolte	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Shively	Silvey	Smith 14	Smith 150
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 009

Burnett	Daus	Flook	Hughes	Lampe
Low 39	Norr	Oxford	Skaggs	

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Brown 50	Cooper 120	El-Amin	Haywood
Johnson	Lowe 44	Marsh	Meiners	Muschany
Robinson	Self	Spreng	Stevenson	Wright-Jones
Young				

VACANCIES: 002

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **SS HCS HBs 1549, 1771, 1395 & 2366, as amended**: Senators Rupp, Crowell, Engler, Green and McKenna.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SS SCS SB 718, as amended**: Senators Kennedy, Griesheimer, Goodman, Engler and Barnitz.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate conferees on **HCS#2 SS SCS SB 718, as amended**, are allowed to exceed the differences.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate requests the House grant the Senate further conference on **HCS SCS SB 720, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HA 1, 2, 3, 4 to SB 885**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SBs 930 & 947, as amended**, and has taken up and passed **CCS HCS SCS SBs 930 & 947**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS#2 SB 976, as amended**: Senators Ridgeway, Bartle, Crowell, Coleman and Justus.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS SCS SB 1209, as amended**, and requests the House to recede from its position and failing to do so grant the Senate a conference thereon.

## BILLS CARRYING REQUEST MESSAGES

**HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, relating to energy regulation, was taken up by Representative Schoeller.

Representative Schoeller moved that the House refuse to recede from its position on **HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, and grant the Senate a conference and the House conferees be allowed to exceed the differences.

Which motion was adopted.

**SB 885, with House Amendment No. 1, House Amendment No. 2, House Amendment No. 3 and House Amendment No. 4**, relating to Community Children's Services Fund, was taken up by Representative Cooper (120).

Speaker Pro Tem Pratt resumed the Chair.

Representative Cooper (120) moved that the House refuse to recede from its position on **House Amendment No. 1, House Amendment No. 2, House Amendment No. 3 and House Amendment No. 4 to SB 885** and grant the Senate a conference.

Which motion was adopted.

## BILLS IN CONFERENCE

**HCS#2 SS SCS SB 718, as amended**, relating to incentives for business development, was taken up by Representative Pearce.

Representative Pearce moved that the House conferees be allowed to exceed the differences on **HCS#2 SS SCS SB 718**.

Which motion was adopted.

**HCS SCS SB 720, as amended**, relating to utility regulation and scrap metal, was taken up by Representative Smith (150).

Representative Smith (150) moved that the House grant the Senate a further conference on **HCS SCS SB 720, as amended**.

Which motion was adopted by the following vote:

AYES: 116

Aull	Baker 25	Bivins	Brandom	Brown 30
Brown 50	Bruns	Casey	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Darrough	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith



Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hoskins	Hubbard	Hughes
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kratky	Kraus	Lampe	Lembke
Liese	Lipke	Loehner	Low 39	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Rucker	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Villa	Wallace	Walsh	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Yaeger	Yates	Zweifel
Mr Speaker				

NOES: 025

Bland	Bringer	Burnett	Chappelle-Nadal	Curls
Daus	Frame	George	Hodges	Holsman
Komo	Kuessner	LeVota	McClanahan	Norr
Oxford	Quinn 9	Roorda	Scavuzzo	Swinger
Talboy	Todd	Whorton	Witte	Zimmerman

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Baker 123	Corcoran	Day	El-Amin
Haywood	Hunter	Johnson	Lowe 44	Marsh
Robinson	Salva	Schieffer	Schneider	Spreng
Stevenson	Vogt	Walton	Wright-Jones	Young

VACANCIES: 002

Speaker Jetton resumed the Chair.

### APPOINTMENT OF CONFERENCE COMMITTEES

The Speaker appointed the following Conference Committees to act with like Committees from the Senate on the following bills:

**SB 885:** Representatives Cooper (120), Franz, Davis, Yaeger and Baker (25)

**HCS SCS SBs 1181, 1100, 1262 & 1263:** Representatives Wright, Schoeller, Emery, Walsh and Skaggs

## **RE-APPOINTMENT OF CONFERENCE COMMITTEE**

The Speaker appointed the following Conference Committee to act with a like Committee from the Senate on the following bill:

**HCS SCS SB 720:** Representatives Smith (150), Schoeller, Emery, Skaggs and Walsh

## **MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SB 720, as amended:** Senators Engler, Dempsey, Lager, Coleman and Barnitz.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the President Pro Tem has appointed the following Conference Committee to act with a like Committee from the House on **HCS SCS SBs 1181, 1100, 1262 & 1263:** Senators Engler, Clemens, Goodman, Bray and Coleman.

## **CONFERENCE COMMITTEE REPORT ON SENATE SUBSTITUTE FOR HOUSE COMMITTEE SUBSTITUTE FOR HOUSE BILL NOS. 1549, 1771, 1395 & 2366**

The Conference Committee appointed on Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, with Senate Amendment Nos. 4, 5, 6, 7, 8, 9, Senate Substitute Amendment No. 1 for Senate Amendment No. 10, Senate Amendment Nos. 11, 17, 19, and 20, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the Senate recede from its position on Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, as amended;
2. That the House recede from its position on House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366;
3. That the attached Conference Committee Substitute for Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, be Third Read and Finally Passed.

FOR THE HOUSE:

/s/ Bob Onder  
/s/ Jerry Nolte  
/s/ Brian Nieves

FOR THE SENATE:

/s/ Scott Rupp  
/s/ Jason Crowell  
/s/ Kevin Engler  
/s/ Timothy Green  
/s/ Ryan McKenna

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 720**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, with House Amendment No. 2 and Parts I, II, III, and IV of House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 720;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Maida Coleman  
/s/ Kevin Engler  
/s/ Tom Dempsey  
/s/ Brad Lager  
/s/ Frank Barnitz

FOR THE HOUSE:

/s/ Jason Smith  
/s/ Ed Emery  
/s/ Shane Schoeller  
/s/ Trent Skaggs  
/s/ Regina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 765**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, with Part I and Part III adopted, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, with Part I and Part III;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 765;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Jack Goodman  
/s/ John Griesheimer  
/s/ Chuck Purgason  
/s/ Rita Days  
/s/ Timothy Green

FOR THE HOUSE:

/s/ Vicki Schneider  
/s/ Jay Wasson  
/s/ Brian Nieves  
/s/ Trent Skaggs  
/s/ Michael Frame

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILLS NOS. 930 & 947**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 930 & 947, with House Amendments Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, House Amendment No. 1 to House Amendment No. 11, House Amendment No. 11 as amended, House Amendment No. 12, House Amendment No. 1 to House Amendment No. 13, House Amendment No. 13 as amended, House Amendment No. 14, House Amendment No. 1 to House Amendment No. 15, House Amendment No. 15 as amended, House Amendment Nos. 16, 17, 18, 19, 20, 21, 23, House Amendment No. 2 to House Amendment No. 24, House Amendment No. 24, and House Amendment No. 25 as amended, begs leave to report that we, after free and fair

discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 930 & 947, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bills Nos. 930 & 947,;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 930 & 947, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Bill Stouffer  
/s/ Scott Rupp  
/s/ Delbert Scott  
/s/ Harry Kennedy  
/s/ Wes Shoemyer

FOR THE HOUSE:

/s/ Neal St. Onge  
/s/ Steve Hobbs  
/s/ Joe Fallert  
/s/ Paul Quinn

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 1288**

The Conference Committee appointed on House Committee Substitute for Senate Bill No. 1288, with House Amendment No. 1, House Amendment No. 2 to House Amendment No. 2, House Amendment No. 3 to House Amendment No. 2, House Amendment No. 2, as amended, and House Amendment No. 3, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Bill No. 1288, as amended;
2. The Senate recede from its position on Senate Bill No. 1288;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Bill No. 1288, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Charles Shields  
/s/ Michael Gibbons  
/s/ Jack Goodman  
/s/ Harry Kennedy

FOR THE HOUSE:

/s/ Shannon Cooper  
/s/ Bob May  
/s/ Stanley Cox  
/s/ Michael Frame

**RECESS**

Representative Tilley moved that the House stand in recess until such time as the Conference Committee Reports on **HCS SCS SB 720, as amended, HCS#2 SS SCS SB 718, as amended, HCS#2 SB 976, as amended, HCS SCS SBs 1181, 1100, 1262 & 1263, as amended, and SB 885, with HA 1, HA 2, HA 3 and HA 4** are distributed, or until 3:30 a.m., Friday, May 16, 2008, whichever comes first and then stand adjourned until 9:00 a.m., Friday, May 16, 2008.

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE NO. 2  
FOR  
SENATE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 718**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, with House Amendment Nos. 1, 2, and 3, House Amendment No. 1 to House Amendment No. 4, House Amendment No. 4, as amended, House Amendment Nos. 5, 6, and 7, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, as amended;
2. The Senate recede from its position on Senate Substitute for Senate Committee Substitute for Senate Bill No. 718;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, be Third Read and Finally Passed.

**FOR THE SENATE:**

/s/ Harry Kennedy  
/s/ John Griesheimer  
/s/ Jack Goodman  
/s/ Kevin Engler  
/s/ Frank Barnitz

**FOR THE HOUSE:**

/s/ David Pearce  
/s/ Ron Richard  
/s/ Tim Flook  
/s/ Michael Brown

**CONFERENCE COMMITTEE REPORT NO. 2  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 720**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, with House Amendment No. 2 and Parts I, II, III, and IV of House Amendment No. 5, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, as amended;
2. The Senate recede from its position on Senate Committee Substitute for Senate Bill No. 720;
3. That the attached Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Maida Coleman  
/s/ Kevin Engler  
/s/ Tom Dempsey  
/s/ Brad Lager  
/s/ Frank Barnitz

FOR THE HOUSE:

/s/ Jason Smith  
/s/ Ed Emery  
/s/ Shane Schoeller  
/s/ Trent Skaggs  
/s/ Regina Walsh

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE NO. 2  
FOR  
SENATE BILL NO. 976**

The Conference Committee appointed on House Committee Substitute No. 2 for Senate Bill No. 976, with House Amendment No. 1 to House Amendment No. 1, House Amendment No. 1, as amended, House Amendment No. 1 to House Amendment No. 2, House Amendment No. 2, as amended, House Amendment Nos. 3, 4, 5, and 6, House Amendment No. 1 to House Substitute Amendment No. 1 for House Amendment No. 7, House Substitute Amendment No. 1 for House Amendment No. 7, as amended, and House Amendment Nos. 8 and 9, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute No. 2 for Senate Bill No. 976, as amended;
2. The Senate recede from its position on Senate Bill No. 976;
3. That the attached Conference Committee Substitute for House Committee Substitute No. 2 for Senate Bill No. 976, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Luann Ridgeway  
/s/ Matt Bartle  
/s/ Jason Crowell  
/s/ Maida Coleman  
/s/ Jolie Justus

FOR THE HOUSE:

/s/ Bryan Stevenson  
/s/ Tim Jones  
/s/ Stanley Cox  
/s/ John Burnett  
/s/ Rachel Bringer

**CONFERENCE COMMITTEE REPORT  
ON  
HOUSE COMMITTEE SUBSTITUTE  
FOR  
SENATE COMMITTEE SUBSTITUTE  
FOR  
SENATE BILLS NOS. 1181, 1100, 1262 & 1263**

The Conference Committee appointed on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 1181, 1100, 1262 & 1263, with House Amendment Nos. 1, 2, 3, 4, 5, and 6, begs leave to report that we, after free and fair discussion of the differences, have agreed to recommend and do recommend to the respective bodies as follows:

1. That the House recede from its position on House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 1181, 1100, 1262 & 1263, as amended;
2. The Senate recede from its position on for Senate Bills Nos. 1181, 1100, 1262 & 1263;
3. That the attached Conference Committee Substitute for House Committee Substitute for Senate Committee Substitute for Senate Bills Nos. 1181, 1100, 1262 & 1263, be Third Read and Finally Passed.

FOR THE SENATE:

/s/ Kevin Engler  
/s/ Dan Clemens  
/s/ Jack Goodman  
/s/ Joan Bray  
/s/ Maida Coleman

FOR THE HOUSE:

/s/ Billy Pat Wright  
/s/ Shane Schoeller  
/s/ Ed Emery  
/s/ Regina Walsh  
/s/ Trent Skaggs



Pursuant to the motion of Representative Tilley, the House stood adjourned until 9:00 a.m., Friday, May 16, 2008.

## CORRECTIONS TO THE HOUSE JOURNAL

### AFFIDAVITS

I, State Representative Brian Yates, District 56, hereby state and affirm that my vote as recorded on Page 1638 to adopt Part I and Part III of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765, as amended, in the House Journal for May 13, 2008 was incorrectly recorded as no. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2008.

/s/ Brian Yates  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 15th day of May in the year 2008.

/s/ Megan Limbach  
Notary Public

I, State Representative Jason Brown, District 30, hereby state and affirm that my vote as recorded on Page 1682 to move the Previous Question in the House Journal for May 14, 2008 was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2008.

/s/ Jason Brown  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 15th day of May in the year 2008.

/s/ Megan Limbach  
Notary Public

I, State Representative Brian Nieves, District 98, hereby state and affirm that my vote as recorded on Page 1639 to Third Read and Pass Part I and Part III of House Committee Substitute for Senate Committee Substitute for Senate Bill No. 765 in the House Journal for May 14, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 15th day of May 2008.

/s/ Brian Nieves  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 15th day of May in the year 2008.

/s/ Megan Limbach  
Notary Public

## **COMMITTEE MEETING**

### **FISCAL REVIEW**

Friday, May 16, 2008, 8:30 a.m. Hearing Room 1.

Any bills presented to this committee.

## **HOUSE CALENDAR**

SEVENTY-FOURTH DAY, FRIDAY, MAY 16, 2008

### **HOUSE JOINT RESOLUTION FOR PERFECTION**

HCS HJR 64 - Chappelle-Nadal

### **HOUSE BILLS FOR PERFECTION**

- 1 HCS HB 1836 - Flook
- 2 HCS#2 HB 1886 - Scharnhorst
- 3 HCS HB 1802 - Wilson (130)
- 4 HB 2144 - Whorton
- 5 HB 1535 - Deeken
- 6 HB 1517 - Cox
- 7 HCS HB 2112 - Emery
- 8 HB 1372 - McGhee
- 9 HCS HB 1590 - Munzlinger
- 10 HCS HB 1504 - Walton
- 11 HCS HB 2156 - Grill
- 12 HCS HB 2159 - Grill
- 13 HB 1562 - LeVota
- 14 HCS HB 2239 - Stevenson
- 15 HCS HB 1438 - Kelly
- 16 HCS HB 1990, as amended, HA 2, pending - Wilson (130)
- 17 HCS HB 2110 - Dixon
- 18 HCS HB 1723 - Franz
- 19 HCS HB 1745 - Robb

- 20 HB 1764 - Parson
- 21 HB 1871 - Deeken
- 22 HB 1934 - May
- 23 HCS HB 1974 - Schlottach
- 24 HB 2207 - Hoskins
- 25 HB 2514 - Weter
- 26 HB 1425 - Munzlinger
- 27 HCS HB 1599 - Sater
- 28 HB 1673 - Parson
- 29 HCS HB 1839 - Franz
- 30 HCS HB 1857 - Schaaf
- 31 HB 1954 - Dixon
- 32 HB 2129 - Baker (123)
- 33 HCS HBs 2189, 2208, 2178 & 2333 - Smith (14)
- 34 HCS HB 2282 - Ervin
- 35 HCS HB 2330 - Brandom
- 36 HB 2343 - Wilson (130)
- 37 HB 2365 - Pratt
- 38 HB 2429 - Hunter
- 39 HB 2458 - Jones (89)
- 40 HCS HB 2508 - Ruestman
- 41 HCS HB 1794 - Deeken
- 42 HCS HB 2354 - Portwood
- 43 HB 2404 - Hubbard
- 44 HCS HB 2494 - Pollock
- 45 HCS HB 1468 - Pratt
- 46 HCS HBs 1809 & 2173 - Ruzicka
- 47 HCS HB 2420 - Baker (123)
- 48 HCS HB 2421 - Meiners
- 49 HB 2555 - Pearce
- 50 HB 1484 - Muschany
- 51 HCS HB 1880 - Schaaf
- 52 HCS HB 1884 - Quinn (7)
- 53 HCS HBs 2281, 2489 & 2537 - Cunningham (86)
- 54 HCS HB 2460 - Emery
- 55 HCS HB 2210 - Jones (89)
- 56 HB 2556 - Hubbard
- 57 HB 1539 - Jones (89)
- 58 HCS HBs 1582 & 1963 - Pearce

**HOUSE BILLS FOR THIRD READING**

- 1 HCS HB 1929 - Cooper (120)
- 2 HB 1957 - Hughes
- 3 HCS HB 1644, (Fiscal Review 5-01-08), E.C. - Muschany
- 4 HCS HBs 1736 & 2320, (Fiscal Review 5-09-08) - Nolte

**HOUSE BILLS FOR THIRD READING - CONSENT**

- 1 HB 1490 - Deeken
- 2 HB 1572 - Franz

**HOUSE CONCURRENT RESOLUTIONS**

- 1 HCR 11, (3-05-08, Pages 421-422) - Nolte
- 2 HCR 20, (4-23-08, Page 1123) - Ervin
- 3 HCS HCR 27, (3-13-08, Pages 498-499) - Curls

**SENATE JOINT RESOLUTION FOR THIRD READING**

SS SCS SJRs 34 & 30 - Bruns

**SENATE BILLS FOR THIRD READING - CONSENT**

- 1 HCS SCS SB 760 - St. Onge
- 2 SCS SB 850 - Meiners
- 3 SB 928 - Schad

**SENATE BILLS FOR THIRD READING**

- 1 HCS SCS SB 942 - Quinn (7)
- 2 HCS SB 1010 - Stevenson
- 3 SB 955 - Wildberger
- 4 SB 970 - May
- 5 HCS SB 1175 - Cox
- 6 SB 1038 - Cox
- 7 SS SCS SB 1059 - Pearce
- 8 SCS SB 1157, E.C. - Walsh
- 9 SS SCS SBs 714, 933, 899 & 758, E.C. - Bruns
- 10 HCS SS SCS SBs 818 & 795 - Smith (14)
- 11 HCS SCS SBs 754 & 794 - Lipke
- 12 HCS SS SCS SB 778 - Cooper (155)
- 13 SCS SB 873 - Pratt
- 14 SS SB 1159 - Pratt
- 15 HCS SB 925 - Aull
- 16 HCS SCS SB 994, E.C. - Wallace
- 17 HCS SCS SB 732, (Fiscal Review 5-09-08) - Jones (117)

- 18 HCS SB 953 - Pearce
- 19 SCS SB 1107, E.C. - Pollock
- 20 HCS SCS SB 1172 - Bruns
- 21 SB 805 - Kingery
- 22 HCS SS SCS SB 726, (Fiscal Review 5-15-08) - Franz
- 23 HCS SS SB 817, (Fiscal Review 5-15-08) - Wilson (130)
- 24 SCS SB 865 - Scharnhorst

#### **HOUSE BILLS WITH SENATE AMENDMENTS**

- 1 SS#2 SCS HCS HB 1619, as amended - Jones (117)
- 2 SS SCS HB 1384 & HB 2157 - Cox
- 3 SS SCS HCR 30, (5-06-08, Pages 1347-1348) - Emery
- 4 SCS HCS HB 1715, as amended, E.C. - Schad
- 5 SCS HB 1311 - Hoskins
- 6 SCS HB 1422 - St. Onge
- 7 SCS HB 1450 - Roorda
- 8 SCS HB 1570 - Franz
- 9 SCS HB 1640 - Schoeller
- 10 SCS HB 1689 - Wilson (130)
- 11 SCS HCS HB 1690 - Wilson (130)
- 12 SCS HCS HB 1804, as amended, E.C. - Corcoran
- 13 SCS HCS HB 1807 - Cox
- 14 SCS HB 1946 - Franz
- 15 SCS HB 2047 - Curls
- 16 SCS HCS HB 2048, as amended - Zimmerman
- 17 SCS HB 2065 - Wasson
- 18 SS SCS HCS HB 2058, as amended - Pearce
- 19 SS HCS HB 1550, as amended - Stevenson
- 20 SS HCS HB 1790, as amended - Cooper (155)
- 21 SCS HCS HB 1883, E.C. - Nance
- 22 SS SCS HB 2191 - Nasheed

#### **BILLS CARRYING REQUEST MESSAGES**

- 1 SCS SB 901, (request House recede on HSA 1 for HA1/take up and pass bill) - Hunter
- 2 HCS SCS SB 1209, as amended (request House recede/grant conference), E.C. - Sutherland

#### **BILLS IN CONFERENCE**

- 1 CCR HCS SB 841, as amended - St. Onge
- 2 CCR SB 1068, HA 1, HA 3 - Sater
- 3 HCS SB 1074, as amended - Smith (14)
- 4 CCR SS SCS HB 2224 - Jones (117)
- 5 CCR SCS HCS HB 2279, as amended - Wright
- 6 CCR HCS SS SCS SB 711, as amended - Sutherland
- 7 CCR HCS SCS SBs 930 & 947, as amended - St. Onge

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- 8 CCR#2 HCS SCS SB 720, as amended - Smith (150)
- 9 CCR HCS SB 1288, as amended - Cooper (120)
- 10 CCR HCS SCS SB 765, E.C. - Schneider
- 11 CCR SS HCS HBs 1549, 1771, 1395 & 2366, E.C. - Onder
- 12 CCR HCS#2 SB 976, as amended - Stevenson
- 13 CCR HCS#2 SS SCS SB 718, as amended - Pearce
- 14 CCR HCS SCS SBs 1181, 1100, 1262 & 1263, as amended - Schoeller
- 15 SB 885, HA 1, HA 2, HA 3, HA 4 - Cooper (120)

**SENATE CONCURRENT RESOLUTIONS**

- 1 SCR 40, (4-14-08, Pages 914-915) - Pratt
- 2 SCS SCR 39, (4-24-08, Pages 1165-1166) - Talboy
- 3 SCR 35, (5-6-08, Page 1349) - Quinn (7)

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTY-FOURTH DAY, FRIDAY, MAY 16, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Reverend Kent Parson, Elkton Baptist Church, Flemington, Missouri.

Creator of all mankind: We come before You this morning to thank You for Your goodness and Your blessings. We pray for Your continued presence as we live our lives and make the decisions which affect the lives of the people of the Great State of Missouri.

Grant us the wisdom of Solomon, the courage of David, the leadership capabilities of Moses, the strength of Sampson, and the love of Jesus. Bless each member of this body for the commitment they have made and the service they have provided for the betterment of our people.

Bless their families, who have sacrificed to allow them to serve in their respective capacities. Bless the staff members of this astute body and bless the people who serve in sundry positions to make our government operate. Bless our military personnel who are serving throughout the world.

Thank You for the privilege to live among the greatest people upon the earth! Thank You for allowing us to be Your children and grant that each member of this body will someday hear You say, "Well done thou good and faithful servant". These blessings we ask in the name of Your Son and our Lord and Savior Jesus Christ. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as Honorary Pages for the Day, to serve without compensation: Mitchell J. Marsh, Madison Ann Marsh, Owen Michael Marsh, Gavin Walker Marsh, Macie Rose Marsh and Jacob Tyler Frandson.

The Journal of the seventy-third day was approved as corrected.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3129 through House Resolution No. 3184

## MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SB 765**, and has taken up and passed **CCS HCS SCS SB 765**.

Emergency clause defeated.

### THIRD READING OF SENATE BILL

**HCS SS SCS SBs 818 & 795**, relating to harassment and stalking, was taken up by Representative Smith (14).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cox	Cunningham 145	Cunningham 86	Day
Deeken	Denison	Dethrow	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grisamore
Guest	Hobbs	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Marsh	May	McGhee	Moore
Munzlinger	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 042

Aull	Bringer	Casey	Chappelle-Nadal	Darrough
Daus	Donnelly	Fallert	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Komo	Kratky	Kuessner	LeVota	Liese
Low 39	Lowe 44	Nasheed	Oxford	Robinson
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Walsh	Whorton	Wildberger	Witte
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 035

Baker 25	Bland	Brown 50	Burnett	Cooper 120
Cooper 155	Corcoran	Curls	Davis	Dixon
El-Amin	Haywood	Hubbard	Hughes	Hunter
Johnson	Lampe	Loehner	McClanahan	Meadows
Meiners	Muschany	Norr	Page	Pollock
Quinn 9	Roorda	Salva	Spreng	Vogt
Walton	Wasson	Wright-Jones	Yaeger	Young

VACANCIES: 002



On motion of Representative Smith (14), **HCS SS SCS SBs 818 & 795** was adopted.

On motion of Representative Smith (14), **HCS SS SCS SBs 818 & 795** was read the third time and passed by the following vote:

AYES: 106

Aull	Avery	Bivins	Brandom	Bringer
Bruns	Burnett	Casey	Chappelle-Nadal	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Day
Dethrow	Dixon	Donnelly	Dougherty	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Ice	Jones 89	Jones 117	Kasten
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Low 39	Marsh
May	McGhee	Moore	Munzlinger	Nance
Nieves	Nolte	Norr	Onder	Oxford
Parkinson	Parson	Pearce	Portwood	Pratt
Quinn 7	Richard	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schneider	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Walsh	Weter	Wilson 119	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 023

Baker 123	Brown 30	Daus	Deeken	Denison
Dusenberg	Emery	Ervin	Guest	Kelly
Lipke	Muschany	Robb	Robinson	Schieffer
Schlottach	Schoeller	Stevenson	Talboy	Wells
Whorton	Wildberger	Wilson 130		

PRESENT: 000

ABSENT WITH LEAVE: 032

Baker 25	Bland	Brown 50	Cooper 120	Cooper 155
Corcoran	Davis	El-Amin	Haywood	Hubbard
Hughes	Hunter	Johnson	Liese	Loehner
Lowe 44	McClanahan	Meadows	Meiners	Nasheed
Page	Pollock	Quinn 9	Roorda	Salva
Spreng	Vogt	Wallace	Walton	Wasson
Wright-Jones	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

## BILLS IN CONFERENCE

**CCR HCS SCS SB 765**, relating to political subdivisions, was taken up by Representative Schneider.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Day	Deeken	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lampe	Lembke
Liese	Lipke	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Parkinson	Pearce
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 043

Aull	Bringer	Burnett	Casey	Chappelle-Nadal
Curls	Daus	Donnelly	Dougherty	Fallert
Frame	Grill	Harris 23	Harris 110	Holsman
Hoskins	Hughes	Komo	Kratky	Kuessner
LeVota	McClanahan	Nasheed	Oxford	Quinn 9
Robinson	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Storch	Swinger	Talboy	Todd
Villa	Walsh	Whorton	Wildberger	Witte
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 032

Baker 25	Bland	Brown 50	Cooper 120	Corcoran
Darrough	Davis	Denison	El-Amin	George
Haywood	Hodges	Hubbard	Hunter	Johnson
Loehner	Low 39	Lowe 44	Meadows	Meiners
Page	Parson	Pollock	Roorda	Salva
Skaggs	Spreng	Vogt	Wallace	Walton
Wright-Jones	Young			

VACANCIES: 002

On motion of Representative Schneider, **CCR HCS SCS SB 765** was adopted by the following vote:

AYES: 131

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hughes	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 9	Richard	Robb
Robinson	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 007

Cooper 120	Day	Emery	Funderburk	Muschany
Portwood	Quinn 7			

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker 25	Bland	Brown 50	Corcoran	Darrough
Davis	El-Amin	Fallert	Haywood	Hubbard
Hunter	Johnson	Loehner	Low 39	Meadows
Page	Roorda	Salva	Spreng	Vogt
Wallace	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Schneider, **CCS HCS SCS SB 765** was truly agreed to and finally passed by the following vote:

AYES: 131

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Nance	Nieves	Nolte	Norr	Onder
Oxford	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 007

Cooper 120	Day	Emery	Funderburk	Muschany
Portwood	Quinn 7			

PRESENT: 000

ABSENT WITH LEAVE: 023

Baker 25	Bland	Brown 50	Corcoran	Darrough
Davis	El-Amin	Fallert	Haywood	Hubbard
Hunter	Johnson	Loehner	Low 39	Meadows
Nasheed	Page	Salva	Spreng	Vogt
Wallace	Wright-Jones	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**CCR SS HCS HBs 1549, 1771, 1395 & 2366**, relating to illegal aliens, was taken up by Representative Onder.

Representative Icet assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Icet	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 053

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
Dougherty	Fallert	Frame	Grill	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 022

Bivins	Bland	Brown 50	Corcoran	El-Amin
George	Haywood	Hubbard	Hunter	Johnson
Loehner	Lowe 44	Meadows	Robinson	Rucker
Salva	Spreng	Viebrock	Vogt	Wallace
Wright-Jones	Young			

VACANCIES: 002

1901 *Journal of the House*

On motion of Representative Onder, **CCR SS HCS HBs 1549, 1771, 1395 & 2366** was adopted by the following vote:

AYES: 133

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 011

Burnett	Chappelle-Nadal	Curls	Daus	Hoskins
Hughes	Low 39	Lowe 44	Oxford	Talboy
Villa				

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Bland	Brown 50	Corcoran	El-Amin
Haywood	Hubbard	Hunter	Johnson	Loehner
McClanahan	Meadows	Spreng	Viebrock	Vogt
Wright-Jones	Young			

VACANCIES: 002

On motion of Representative Onder, **CCS SS HCS HBs 1549, 1771, 1395 & 2366** was read the third time and passed by the following vote:

AYES: 136

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Bruns	Casey	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 012

Burnett	Chappelle-Nadal	Curls	Daus	Hoskins
Hughes	Low 39	Lowe 44	Oxford	Talboy
Villa	Wright-Jones			

PRESENT: 000

ABSENT WITH LEAVE: 013

Avery	Bland	Brown 50	El-Amin	Haywood
Hubbard	Hunter	Johnson	Loehner	Meadows
Spreng	Vogt	Young		

VACANCIES: 002

Representative Ice declared the bill passed.

**CCR HCS SS SCS SB 711, as amended**, relating to property taxation, was taken up by Representative Sutherland.

1903 *Journal of the House*

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 055

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Daus	Donnelly	Dougherty
Fallert	Frame	George	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Bland	Brown 50	Cooper 120	Corcoran
Darrough	El-Amin	Grill	Haywood	Hubbard
Johnson	McGhee	Meadows	Robinson	Salva
Spreng	Stevenson	Wildberger	Young	

VACANCIES: 002

Speaker Jetton resumed the Chair.



On motion of Representative Sutherland, **CCR HCS SS SCS SB 711, as amended**, was adopted by the following vote:

AYES: 145

Avery	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hughes	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 003

Aull	Bringer	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Brown 50	El-Amin	Haywood	Hubbard
Johnson	McGhee	Meadows	Robinson	Salva
Spreng	Wildberger	Young		

VACANCIES: 002

1905 *Journal of the House*

On motion of Representative Sutherland, **CCS HCS SS SCS SB 711** was truly agreed to and finally passed by the following vote:

AYES: 142

Avery	Baker 25	Baker 123	Bivins	Brandom
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hughes	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Marsh	May	McClanahan	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 005

Aull	Bringer	Lowe 44	Oxford	Wallace
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PRESENT: 000

ABSENT WITH LEAVE: 014

Bland	Brown 50	Cooper 120	El-Amin	Haywood
Hubbard	Johnson	McGhee	Meadows	Robinson
Spreng	Viebrock	Wright-Jones	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

**CCR SS SCS HB 2224**, relating to training for peace officers, was taken up by Representative Jones (117).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 055

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	Dougherty
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Holsman	Hoskins	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Whorton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Brown 50	Corcoran	Donnelly	El-Amin
Hodges	Hubbard	Johnson	Meadows	Robinson
Salva	Spreng	Wallace	Walton	Wright-Jones
Young				

VACANCIES: 002

1907 *Journal of the House*

On motion of Representative Jones (117), **CCR SS SCS HB 2224** was adopted by the following vote:

AYES: 116

Aull	Baker 25	Baker 123	Brandom	Bringer
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Day	Deeken	Denison	Dethrow
Dixon	Emery	Ervin	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hunter	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kuessner	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Onder	Page	Parkinson
Parson	Pearce	Pollock	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Skaggs
Smith 150	Stevenson	St. Onge	Storch	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Vogt	Wallace	Walsh	Walton	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Zimmerman	Zweifel
Mr Speaker				

NOES: 030

Avery	Bivins	Burnett	Daus	Davis
Dougherty	Dusenberg	Faith	Fares	Grisamore
Haywood	Hoskins	Ice	Kraus	Lampe
Lembke	Meiners	Nolte	Norr	Oxford
Portwood	Pratt	Schneider	Silvey	Smith 14
Stream	Talboy	Villa	Wright-Jones	Yates

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 014

Bland	Brown 50	Donnelly	El-Amin	Hubbard
Hughes	Johnson	Meadows	Schad	Spreng
Viebrock	Wasson	Yaeger	Young	

VACANCIES: 002

On motion of Representative Jones (117), **CCS SS SCS HB 2224** was read the third time and passed by the following vote:

AYES: 118

Aull	Baker 25	Baker 123	Brandom	Bringer
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Emery	Ervin	Fallert	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hunter	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McClanahan	McGhee
Moore	Munzlinger	Muschany	Nieves	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schoeller
Schoemehl	Self	Shively	Skaggs	Smith 150
Stevenson	St. Onge	Storch	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Zimmerman	Zweifel	Mr Speaker		

NOES: 028

Avery	Bivins	Daus	Davis	Dougherty
Faith	Fares	Grisamore	Haywood	Hoskins
Hughes	Ice	Kraus	Lampe	Lembke
Meiners	Nolte	Norr	Oxford	Pratt
Schneider	Silvey	Smith 14	Stream	Talboy
Villa	Wright-Jones	Yates		

PRESENT: 001

Darrough

ABSENT WITH LEAVE: 014

Bland	Brown 50	Burnett	Cooper 120	Corcoran
Dusenberg	El-Amin	Hubbard	Johnson	Meadows
Nance	Nasheed	Spreng	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

### THIRD READING OF SENATE BILL

**SCS SB 873**, relating to University of Missouri curators, was taken up by Representative Pratt.

Representative Kingery offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Committee Substitute for Senate Bill No. 873, Page 2, Section 172.030, Line 24, by inserting after all of said line the following:

**"3. The provisions of subsection 2 of this section shall automatically sunset on December 31, 2014, unless reauthorized by an act of the general assembly. If such subsection is reauthorized, subsection 2 shall sunset automatically on December 31, 2026. Subsections 2 and 3 of this section shall terminate on September first of the calendar year immediately following the calendar year in which subsection 2 is sunset.";** and

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 057

Baker 25	Bringer	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Dougherty
Fallert	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meiners	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger

Talboy	Todd	Villa	Vogt	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 017

Aull	Baker 123	Bland	Brown 50	Donnelly
El-Amin	Hubbard	Hunter	Johnson	Meadows
Nasheed	Robinson	Sater	Spreng	Walsh
Wasson	Young			

VACANCIES: 002

Representative Kingery moved that **House Amendment No. 1** be adopted.

Which motion was defeated by the following vote:

AYES: 064

Baker 123	Bivins	Brandom	Bringer	Brown 30
Casey	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Dethrow	Dougherty	Dusenberg
Emery	Ervin	Fares	Grisamore	Guest
Hobbs	Hodges	Jones 89	Jones 117	Kelly
Kingery	Kraus	LeVota	Lipke	Loehner
Meiners	Moore	Muschany	Nieves	Nolte
Onder	Pearce	Pollock	Quinn 7	Quinn 9
Richard	Robb	Ruestman	Ruzicka	Salva
Sander	Sater	Scharnhorst	Self	Shively
Stevenson	Swinger	Thomson	Todd	Vogt
Wallace	Walton	Wells	Weter	Whorton
Wilson 130	Witte	Wright 159	Yates	

NOES: 074

Aull	Avery	Baker 25	Bruns	Burnett
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Darrough
Day	Deeken	Denison	Faith	Fallert
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Harris 23	Harris 110	Haywood
Holsman	Hoskins	Hughes	Kasten	Komo
Kratky	Kuessner	Lampe	Lembke	Liese
Low 39	Marsh	May	McClanahan	Munzlinger
Nance	Norr	Oxford	Page	Parkinson
Parson	Portwood	Pratt	Roorda	Scavuzzo
Schaaf	Schad	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Smith 14	Smith 150	St. Onge
Storch	Stream	Sutherland	Talboy	Threlkeld
Tilley	Viebrock	Walsh	Wildberger	Wright-Jones
Yaeger	Zimmerman	Zweifel	Mr Speaker	

## 1911 *Journal of the House*

PRESENT: 001

Rucker

ABSENT WITH LEAVE: 022

Bland	Brown 50	Dixon	Donnelly	El-Amin
Hubbard	Hunter	Ice	Johnson	Lowe 44
McGhee	Meadows	Nasheed	Robinson	Silvey
Skaggs	Spreng	Villa	Wasson	Wilson 119
Wood	Young			

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberger	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wells	Weter
Wilson 119	Wood	Wright 159	Yates	Mr Speaker

NOES: 053

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Cunningham 145	Curls	Darrough	Daus
Donnelly	Fallert	Frame	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Norr	Oxford	Page	Roorda	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walton	Whorton	Wildberger	Witte	Wright-Jones
Yaeger	Zimmerman	Zweifel		

PRESENT: 000



ABSENT WITH LEAVE: 023

Bland	Brown 50	Corcoran	Dougherty	El-Amin
Hoskins	Hubbard	Hunter	Johnson	Kasten
McGhee	Meadows	Meiners	Nasheed	Quinn 9
Robinson	Rucker	Salva	Spreng	Walsh
Wasson	Wilson 130	Young		

VACANCIES: 002

On motion of Representative Pratt, **SCS SB 873** was truly agreed to and finally passed by the following vote:

AYES: 100

Aull	Avery	Baker 25	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Curls
Darrough	Daus	Day	Deeken	Denison
Dixon	Donnelly	Dougherty	Faith	Fallert
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Holsman	Hoskins	Hughes	Icet
Jones 89	Kasten	Kelly	Komo	Kratky
Kuessner	Lampe	Lembke	Liese	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meiners	Munzlinger	Nance	Nasheed
Nieves	Nolte	Norr	Oxford	Parkinson
Parson	Portwood	Pratt	Roorda	Ruestman
Salva	Scavuzzo	Schaaf	Scharnhorst	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Talboy	Threlkeld	Tilley
Viebrock	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Zimmerman	Zweifel	Mr Speaker

NOES: 047

Bivins	Brandom	Bringer	Brown 30	Corcoran
Cox	Cunningham 145	Cunningham 86	Davis	Dethrow
Dusenberg	Emery	Ervin	Fares	Guest
Hobbs	Hodges	Kingery	Kraus	LeVota
Lipke	Moore	Muschany	Onder	Pearce
Pollock	Quinn 7	Quinn 9	Richard	Robb
Ruzicka	Sander	Sater	Schad	Schieffer
Shively	Stevenson	Swinger	Thomson	Todd
Wallace	Wasson	Wells	Weter	Wilson 119
Witte	Yates			

PRESENT: 002

Baker 123	Rucker
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## 1913 *Journal of the House*

ABSENT WITH LEAVE: 012

Bland	Brown 50	El-Amin	Hubbard	Hunter
Johnson	Jones 117	Meadows	Page	Robinson
Spreng	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SS SCS HB 1384 & HB 2157**, relating to identity theft, was taken up by Representative Cox.

On motion of Representative Cox, **SS SCS HB 1384 & HB 2157** was adopted by the following vote:

AYES: 130

Aull	Bivins	Brandom	Bringer	Brown 30
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Scavuzzo	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Walsh	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 031

Avery	Baker 25	Baker 123	Bland	Brown 50
Cooper 120	Corcoran	Darrough	Deeken	Denison
El-Amin	Franz	Haywood	Hubbard	Hunter
Johnson	Kuessner	Lembke	Meadows	Richard
Robinson	Salva	Sater	Schieffer	Spreng
Sutherland	Wallace	Walton	Wasson	Wright 159
Young				

VACANCIES: 002

On motion of Representative Cox, **SS SCS HB 1384 & HB 2157** was truly agreed to and finally passed by the following vote:

AYES: 143

Aull	Baker 123	Bivins	Brandom	Bringer
Brown 30	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 000

PRESENT: 000

## 1915 *Journal of the House*

ABSENT WITH LEAVE: 018

Avery	Baker 25	Bland	Brown 50	Cooper 120
Corcoran	Denison	El-Amin	Franz	Hubbard
Hunter	Johnson	Meadows	Page	Robinson
Spreng	Wallace	Young		

VACANCIES: 002

Speaker Jetton declared the bill passed.

**SS SCS HCR 30**, relating to the regulation of voice communications, was taken up by Representative Emery.

On motion of Representative Emery, **SS SCS HCR 30** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 002

Hughes	Oxford
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PRESENT: 000

ABSENT WITH LEAVE: 016

Bland	Brown 50	Cooper 120	Corcoran	Darrough
El-Amin	Franz	Hubbard	Hunter	Johnson
Meadows	Nasheed	Robinson	Spreng	Wallace
Young				

VACANCIES: 002

On motion of Representative Emery, **SCS HCR 30, as amended by the Senate Substitute,** was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Bruns	Burnett	Casey
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Holsman
Hoskins	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Page	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Hughes	Oxford
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PRESENT: 000

## 1917 *Journal of the House*

ABSENT WITH LEAVE: 022

Baker 123	Bland	Brown 50	Chappelle-Nadal	Cooper 120
Corcoran	El-Amin	Hodges	Hubbard	Hunter
Johnson	Lowe 44	Marsh	Meadows	Nasheed
Parkinson	Portwood	Robinson	Spreng	Talboy
Wallace	Young			

VACANCIES: 002

**SCS HCS HB 1715, as amended**, relating to watercraft, was taken up by Representative Schad.

Representative Schad moved that **SCS HCS HB 1715, as amended**, be adopted.

Representative Burnett made a substitute motion that the House refuse to adopt **SCS HCS HB 1715, as amended**, and request the Senate to recede from its position and take up and pass **HCS HB 1715**.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 059

Aull	Bland	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
Dougherty	Frame	George	Grill	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hoskins
Hubbard	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs

Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 25	Bivins	Brown 50	Corcoran	El-Amin
Fallert	Fares	Hunter	Johnson	Low 39
Meadows	Richard	Spreng	Wright-Jones	Young

VACANCIES: 002

Representative Burnett again moved that the House refuse to adopt **SCS HCS HB 1715, as amended**, and request the Senate to recede from its position and take up and pass **HCS HB 1715**.

Which motion was defeated by the following vote:

AYES: 060

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Dougherty	Fallert	George	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Lowe 44
McClanahan	Meadows	Meiners	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Witte	Wright-Jones	Yaeger	Zimmerman	Zweifel

NOES: 092

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Decken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grisamore	Guest	Hobbs
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

## 1919 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 009

Brown 50	Corcoran	El-Amin	Hunter	Johnson
Low 39	Nasheed	Spreng	Young	

VACANCIES: 002

On motion of Representative Schad, **SCS HCS HB 1715, as amended**, was adopted by the following vote:

AYES: 135

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Zweifel	Mr Speaker

NOES: 017

Avery	Burnett	Daus	Frame	George
Hughes	Lowe 44	Norr	Oxford	Schneider
Skaggs	Talboy	Villa	Whorton	Wright-Jones
Yaeger	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 009

Baker 123	Brown 50	Denison	El-Amin	Johnson
Low 39	Schoemehl	Spreng	Young	

VACANCIES: 002



On motion of Representative Schad, **SCS HCS HB 1715, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 131

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Grill	Grisamore	Guest	Harris 23
Harris 110	Hodges	Holsman	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Viebrock	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Yates	Zweifel
Mr Speaker				

NOES: 016

Avery	Burnett	Daus	Frame	George
Hughes	Lowe 44	Oxford	Schneider	Skaggs
Talboy	Villa	Whorton	Wright-Jones	Yaeger
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	El-Amin	Funderburk	Haywood	Hobbs
Johnson	Low 39	Nasheed	Quinn 7	Shively
Spreng	Todd	Wright 159	Young	

VACANCIES: 002

Speaker Jetton declared the bill passed.

Representative Tilley moved the previous question.

## 1921 *Journal of the House*

Which motion was adopted by the following vote:

AYES: 087

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 059

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Walton	Whorton	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 123	Bland	El-Amin	Marsh	Meadows
Meiners	Nasheed	Portwood	Salva	Spreng
Stevenson	Vogt	Walsh	Wildberger	Young

VACANCIES: 002

The emergency clause was adopted by the following vote:

AYES: 123

Aull	Baker 25	Bivins	Brandom	Bringer
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery

Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hodges	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meadows	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Norr
Onder	Page	Parkinson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Ruestman	Ruzicka
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Wallace
Walton	Wasson	Wells	Weter	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 020

Avery	Burnett	Daus	Dougherty	George
Holsman	Hoskins	Johnson	Low 39	Lowe 44
Oxford	Rucker	Schneider	Skaggs	Talboy
Villa	Vogt	Whorton	Wright-Jones	Yaeger

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 123	Bland	Brown 50	Cooper 120	El-Amin
Hobbs	Hughes	Marsh	Meiners	Nasheed
Parson	Salva	Sander	Spreng	Stevenson
Walsh	Wildberger	Young		

VACANCIES: 002

**SCS HB 1311**, relating to write-in candidates, was taken up by Representative Hoskins.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 083

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dougherty
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany

## 1923 *Journal of the House*

Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Portwood	Pratt	Quinn 7
Richard	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Wells	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 059

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
Lowe 44	McClanahan	Meadows	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Witte
Wright-Jones	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Baker 123	Bland	Dixon	El-Amin
Marsh	Meiners	Pollock	Robb	Robinson
Salva	Scharnhorst	Spreng	Viebrock	Wallace
Wasson	Weter	Wildberger	Young	

VACANCIES: 002

On motion of Representative Hoskins, **SCS HB 1311** was adopted by the following vote:

AYES: 129

Aull	Baker 25	Bivins	Brandom	Bringer
Brown 50	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Donnelly	Dougherty
Emery	Ervin	Faith	Fallert	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Rucker	Ruestman	Ruzicka	Sander	Sater

Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Walsh	Walton	Wells
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Zweifel	Mr Speaker	

NOES: 012

Brown 30	Daus	Dusenberg	Harris 23	Kraus
Low 39	Lowe 44	Oxford	Roorda	Whorton
Yates	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 020

Avery	Baker 123	Bland	Dixon	El-Amin
Fares	Marsh	Meadows	Meiners	Parson
Robinson	Salva	Spreng	Sutherland	Vogt
Wallace	Wasson	Weter	Wildberger	Young

VACANCIES: 002

Speaker Pro Tem Pratt assumed the Chair.

On motion of Representative Hoskins, **SCS HB 1311** was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Ervin	Faith	Fallert
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Icet	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
May	McClanahan	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Pearce
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Rucker	Ruestman	Ruzicka	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley

## 1925 *Journal of the House*

Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Zweifel	Mr Speaker		

NOES: 011

Brown 30	Daus	Dusenberg	Harris 23	Low 39
Lowe 44	Oxford	Roorda	Whorton	Yates
Zimmerman				

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Bruns	Cunningham 145	El-Amin	Fares
Marsh	Meadows	Meiners	Parson	Pollock
Robinson	Salva	Sander	Spreng	Weter
Wildberger	Young			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, and has taken up and passed **CCS HCS SCS SBs 1181, 1100, 1262 & 1263**.

### HOUSE BILLS WITH SENATE AMENDMENTS

Representative Avery assumed the Chair.

**SCS HB 1422**, relating to unified carrier registrations, was taken up by Representative St. Onge.

On motion of Representative St. Onge, **SCS HB 1422** was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Icet	Johnson	Jones 89

Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Schieffer
Schlottach	Schneider	Schoeller	Self	Shively
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Hughes Talboy

PRESENT: 000

ABSENT WITH LEAVE: 017

Baker 123	Cooper 120	El-Amin	Guest	Lembke
Marsh	Meadows	Robinson	Salva	Scharnhorst
Schoemehl	Silvey	Spreng	Threlkeld	Vogt
Wildberger	Young			

VACANCIES: 002

On motion of Representative St. Onge, **SCS HB 1422** was truly agreed to and finally passed by the following vote:

AYES: 139

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hubbard	Icet
Johnson	Jones 89	Jones 117	Kasten	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9

## 1927 *Journal of the House*

Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 002

Hughes                      Talboy

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 123	Burnett	Casey	Curls	El-Amin
Holsman	Hunter	Kelly	Lowe 44	Marsh
Robinson	Salva	Schoemehl	Spreng	Threlkeld
Vogt	Wasson	Wildberger	Witte	Young

VACANCIES: 002

Representative Avery declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**SCS HB 1450**, relating to the Joint Committee on Terrorism, was taken up by Representative Roorda.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dougherty	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Grisamore
Guest	Hobbs	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge



Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Yates	

NOES: 057

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Fallert	Frame
Funderburk	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Johnson	Komo	Kratky	Kuessner	Lampe
LeVota	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Roorda	Rucker
Scavuzzo	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 123	Dusenberg	El-Amin	Haywood	Hunter
Liese	Low 39	Lowe 44	Marsh	Nolte
Quinn 9	Robinson	Salva	Schieffer	Schoemehl
Spreng	Wright 159	Wright-Jones	Young	Mr Speaker

VACANCIES: 002

Representative Lembke assumed the Chair.

On motion of Representative Roorda, **SCS HB 1450** was adopted by the following vote:

AYES: 143

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider

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Schoeller	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel		

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 123	Cooper 120	El-Amin	Haywood
Hunter	Low 39	Lowe 44	Marsh	Nolte
Quinn 9	Robinson	Salva	Schoemehl	Spreng
St. Onge	Young	Mr Speaker		

VACANCIES: 002

On motion of Representative Roorda, **SCS HB 1450** was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Baker 25	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger

Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Bringer	Cooper 120	El-Amin
Haywood	Hunter	Kasten	Low 39	Marsh
Quinn 9	Robinson	Salva	Spreng	Young
Mr Speaker				

VACANCIES: 002

Representative Lembke declared the bill passed.

Speaker Pro Tem Pratt resumed the Chair.

**SCS HB 1570**, relating to guardians ad litem, was taken up by Representative Franz.

On motion of Representative Franz, **SCS HB 1570** was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wilson 119

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Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 001

Hughes

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 123	Cooper 120	Darrough	El-Amin	George
Harris 23	Hunter	Low 39	Marsh	Robinson
Sater	Schneider	Spreng	Wildberger	Young
Mr Speaker				

VACANCIES: 002

On motion of Representative Franz, **SCS HB 1570** was truly agreed to and finally passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Lowe 44	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOES: 002

Davis Hughes

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 123	Cooper 120	Darrough	Dusenberg	El-Amin
Haywood	Hunter	Low 39	Marsh	Nolte
Robinson	Sater	Schlottach	Schneider	Spreng
Viebrock	Vogt	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**SCS HB 1640**, relating to birth certificates, was taken up by Representative Schoeller.

On motion of Representative Schoeller, **SCS HB 1640** was adopted by the following vote:

AYES: 136

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Brown 30	Brown 50	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walton	Wasson	Wells	Weter	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Young	Zimmerman
Zweifel				

NOES: 001

Whorton

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PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Baker 123	Bruns	Burnett	Cooper 120
Darrough	Donnelly	Dougherty	El-Amin	Hobbs
Hodges	Hunter	Kratky	Low 39	Marsh
McClanahan	Meadows	Pearce	Robinson	Schneider
Spreng	Viebrock	Walsh	Mr Speaker	

VACANCIES: 002

On motion of Representative Schoeller, **SCS HB 1640** was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Icet	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel		

NOES: 001

Whorton

PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 123	Bland	Bruns	Cooper 120	Darrough
Donnelly	Dougherty	El-Amin	Frame	Haywood
Hobbs	Hunter	Low 39	Marsh	Parkinson
Robinson	Skaggs	Spreng	Viebrock	Vogt
Wilson 119	Mr Speaker			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

**SCS HB 1689**, relating to the Governor's Council on Disability, was taken up by Representative Wilson (130).

On motion of Representative Wilson (130), **SCS HB 1689** was adopted by the following vote:

AYES: 124

Aull	Avery	Bivins	Bland	Brandom
Brown 30	Bruns	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Daus	Davis	Day	Deeken	Dethrow
Dixon	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grisamore
Guest	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hubbard	Ice	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Loehner	May	McClanahan	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Parkinson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Walsh	Walton	Wasson	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Young	Zweifel	Mr Speaker	

NOES: 015

Baker 25	Bringer	Burnett	Donnelly	Harris 23
Hughes	Kuessner	Lowe 44	Rucker	Skaggs
Talboy	Whorton	Wildberger	Witte	Zimmerman

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PRESENT: 000

ABSENT WITH LEAVE: 022

Baker 123	Brown 50	Cooper 120	Darrough	Denison
El-Amin	Grill	Hoskins	Hunter	Lipke
Low 39	Marsh	McGhee	Oxford	Page
Parson	Robinson	Spreng	Viebrock	Vogt
Wallace	Wells			

VACANCIES: 002

On motion of Representative Wilson (130), **SCS HB 1689** was truly agreed to and finally passed by the following vote:

AYES: 125

Aull	Avery	Bivins	Bland	Brandom
Brown 30	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Darrough	Daus	Davis	Day	Deeken
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Haywood	Hobbs
Hodges	Holsman	Hoskins	Hubbard	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Lampe	Lembke
Liese	Loehner	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Villa	Walsh	Walton	Wasson
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zweifel	Mr Speaker

NOES: 019

Baker 25	Bringer	Burnett	Curls	Donnelly
Harris 23	Harris 110	Hughes	Kuessner	LeVota
Lowe 44	Page	Rucker	Skaggs	Talboy
Whorton	Wildberger	Witte	Zimmerman	

PRESENT: 000



ABSENT WITH LEAVE: 017

Baker 123	Cooper 120	Denison	El-Amin	Hunter
Johnson	Lipke	Low 39	Marsh	Robinson
Salva	Spreng	Viebrock	Vogt	Wallace
Wells	Young			

VACANCIES: 002

Speaker Jetton declared the bill passed.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report No. 2 on **HCS SCS SB 720, as amended**, and taken up and passed **CCS#2 HCS SCS SB 720**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to concur in **HCS, as amended by House Amendment No. 1** and request the House to recede on **House Amendment No. 1 to HCS** and take up and pass **HCS SCS SB 1170**.

### HOUSE BILLS WITH SENATE AMENDMENTS

**SCS HCS HB 1690**, relating to the transfer of insurance information, was taken up by Representative Wilson (130).

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Icet	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

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NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Holsman	Hoskins	Hubbard	Hughes	Johnson
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Walsh	Walton	Whorton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Brown 30	El-Amin	Funderburk	Haywood
Hodges	Hunter	Low 39	Marsh	Onder
Robinson	Salva	Spreng	Viebrock	Vogt
Wright-Jones	Young			

VACANCIES: 002

Representative Cooper (120) assumed the Chair.

On motion of Representative Wilson (130), **SCS HCS HB 1690** was adopted by the following vote:

AYES: 117

Aull	Baker 25	Baker 123	Bivins	Brandom
Brown 50	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Daus
Davis	Day	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	George	Grill	Grisamore	Guest
Harris 23	Hobbs	Hoskins	Hubbard	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Lampe
Lembke	Liese	Lipke	Loehner	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Wilson 119

Wilson 130	Witte	Wood	Yaeger	Yates
Zimmerman	Zweifel			

NOES: 015

Bringer	Darrough	Harris 110	Holsman	Kuessner
LeVota	Lowe 44	Oxford	Quinn 9	Schoemehl
Shively	Skaggs	Talboy	Whorton	Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 029

Avery	Bland	Brown 30	Burnett	Cunningham 86
Curls	Deeken	El-Amin	Frame	Funderburk
Haywood	Hodges	Hughes	Hunter	Low 39
Marsh	McClanahan	Onder	Robinson	Salva
Schaaf	Spreng	Todd	Viebrock	Vogt
Wright 159	Wright-Jones	Young	Mr Speaker	

VACANCIES: 002

On motion of Representative Wilson (130), **SCS HCS HB 1690** was truly agreed to and finally passed by the following vote:

AYES: 114

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bruns	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Corcoran	Cox	Cunningham 145	Cunningham 86
Curls	Daus	Davis	Day	Deeken
Denison	Dethrow	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Hobbs	Hoskins
Hubbard	Icet	Johnson	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lipke	Loehner	May	McClanahan
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Robb	Roorda	Rucker
Ruzicka	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Mr Speaker	

NOES: 020

Bringer	Brown 50	Burnett	Darrough	Harris 110
Holsman	Hughes	Kuessner	LeVota	Liese

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Lowe 44	Oxford	Quinn 9	Schoemehl	Shively
Skaggs	Talboy	Todd	Whorton	Wildberger

PRESENT: 000

ABSENT WITH LEAVE: 027

Avery	Brown 30	Dixon	El-Amin	Fallert
Funderburk	Haywood	Hodges	Hunter	Jones 89
Lembke	Low 39	Marsh	McGhee	Onder
Page	Richard	Robinson	Ruestman	Salva
Sater	Spreng	Viebrock	Vogt	Wright-Jones
Young	Zweifel			

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

**SCS HCS HB 1804, as amended**, relating to home-rule cities, was taken up by Representative Corcoran.

On motion of Representative Corcoran, **SCS HCS HB 1804, as amended**, was adopted by the following vote:

AYES: 135

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 110	Hobbs	Holsman	Hoskins
Hubbard	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
Meadows	Meiners	Moore	Munzlinger	Muschany
Nasheed	Nieves	Nolte	Norr	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 004

Bringer Hughes Lowe 44 Walton

PRESENT: 000

ABSENT WITH LEAVE: 022

Avery	Brown 30	Burnett	El-Amin	Funderburk
Harris 23	Haywood	Hodges	Hunter	Low 39
Marsh	McGhee	Nance	Onder	Robinson
Salva	Smith 14	Spreng	Viebrock	Wilson 130
Wright-Jones	Young			

VACANCIES: 002

On motion of Representative Corcoran, **SCS HCS HB 1804, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 136

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Holsman
Hoskins	Hubbard	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Oxford	Page	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 004

Bringer Hughes Lowe 44 Walton

## 1941 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 021

Avery	Brown 30	Burnett	El-Amin	Funderburk
Haywood	Hodges	Hunter	Low 39	Marsh
Meadows	Nasheed	Norr	Parkinson	Robinson
Salva	Spreng	Viebrock	Wilson 130	Wright-Jones
Young				

VACANCIES: 002

Representative Cooper (120) declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 50	Bruns	Casey	Chappelle-Nadal
Cooper 120	Cooper 155	Corcoran	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Holsman	Hubbard
Hughes	Ice	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Thomson	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 006

Bringer	Burnett	Lowe 44	Swinger	Talboy
Witte				

PRESENT: 001

Threlkeld

ABSENT WITH LEAVE: 022

Avery	Brown 30	El-Amin	Fallert	Funderburk
Haywood	Hodges	Hoskins	Hunter	Low 39
Marsh	Meadows	Nasheed	Norr	Robinson
Salva	Smith 14	Spreng	Viebrock	Wilson 130
Wright-Jones	Young			

VACANCIES: 002

Speaker Jetton resumed the Chair.

**SCS HCS HB 1807**, relating to state schools for the disabled, was taken up by Representative Cox.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Hubbard	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	McGhee	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy

## 1943 *Journal of the House*

Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Brown 30	El-Amin	Funderburk	Hunter
Johnson	Low 39	Marsh	May	Meadows
Moore	Robinson	Spreng	Viebrock	Wright-Jones
Young				

VACANCIES: 002

Representative May assumed the Chair.

On motion of Representative Cox, **SCS HCS HB 1807** was adopted by the following vote:

AYES: 144

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	May	McClanahan	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Burnett	Hughes	Lowe 44
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PRESENT: 000

ABSENT WITH LEAVE: 014

Brown 30	Corcoran	El-Amin	Funderburk	Hunter
Johnson	Low 39	Marsh	Meadows	Robinson
Spreng	Viebrock	Wright-Jones	Young	

VACANCIES: 002

On motion of Representative Cox, **SCS HCS HB 1807** was truly agreed to and finally passed by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Bruns	Casey
Chappelle-Nadal	Cooper 155	Cox	Cunningham 145	Cunningham 86
Curls	Darrough	Daus	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Haywood	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Villa	Vogt
Wallace	Walsh	Walton	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 002

Burnett	Hughes
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PRESENT: 000

## 1945 *Journal of the House*

ABSENT WITH LEAVE: 017

Brown 30	Brown 50	Cooper 120	Corcoran	El-Amin
Funderburk	Hunter	Johnson	Low 39	Marsh
Meadows	Robinson	Spreng	Viebrock	Wasson
Wright-Jones	Young			

VACANCIES: 002

Representative May declared the bill passed.

Speaker Jetton resumed the Chair.

**SCS HB 1946**, relating to adoption subsidies, was taken up by Representative Franz.

Representative Portwood assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Bivins	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Grisamore	Guest	Hobbs
Hunter	Ice	Jones 89	Jones 117	Kasten
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 055

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	Grill
Harris 23	Harris 110	Haywood	Hodges	Holsman
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	McClanahan
Meadows	Meiners	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Wildberger	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 024

Avery	Baker 123	Bland	Cooper 120	Corcoran
El-Amin	Funderburk	George	Johnson	Kelly
Low 39	Lowe 44	Nasheed	Nolte	Onder
Robinson	Salva	Schneider	Spreng	Viebrock
Vogt	Whorton	Wright-Jones	Young	

VACANCIES: 002

On motion of Representative Franz, **SCS HB 1946** was adopted by the following vote:

AYES: 135

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hoskins	Ice	Johnson	Jones 89
Jones 117	Kasten	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 9
Richard	Robb	Roorda	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 003

Burnett	Hughes	Talboy
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PRESENT: 000

## 1947 *Journal of the House*

ABSENT WITH LEAVE: 023

Avery	Cooper 120	Corcoran	El-Amin	Funderburk
Hobbs	Hubbard	Hunter	Kelly	Low 39
Lowe 44	Meadows	Muschany	Quinn 7	Robinson
Rucker	Ruestman	Salva	Schneider	Spreng
Viebrock	Wallace	Young		

VACANCIES: 002

On motion of Representative Franz, **SCS HB 1946** was truly agreed to and finally passed by the following vote:

AYES: 134

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Walsh	Walton	Wasson
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 003

Burnett	Hughes	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 024

Baker 123	Bland	Corcoran	Denison	El-Amin
Fallert	Funderburk	Haywood	Hunter	Johnson
Kasten	Low 39	Lowe 44	Meadows	Nasheed
Parson	Robinson	Sater	Schneider	Spreng
Viebrock	Wallace	Wells	Young	

VACANCIES: 002

Representative Portwood declared the bill passed.

**SCS HB 2047**, relating to street grading in certain cities, was taken up by Representative Curls.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Bivins	Brandom	Brown 30	Bruns	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Grisamore	Guest	Hobbs
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 059

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Hughes	Johnson	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Whorton	Wildberger
Witte	Wright-Jones	Zimmerman	Zweifel	

## 1949 *Journal of the House*

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Brown 50	Cooper 120	Corcoran
El-Amin	Funderburk	Haywood	Hunter	Low 39
Lowe 44	Robinson	Spreng	Walton	Yaeger
Young				

VACANCIES: 002

On motion of Representative Curls, **SCS HB 2047** was adopted by the following vote:

AYES: 140

Aull	Baker 25	Bivins	Bland	Brandom
Bringer	Bruns	Burnett	Casey	Chappelle-Nadal
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Hughes	Ice	Johnson
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Zimmerman	Zweifel

NOES: 004

Brown 30	Kraus	Muschany	Yates
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PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Baker 123	Brown 50	Cooper 120	Corcoran
El-Amin	Funderburk	Hunter	Low 39	Lowe 44
Parkinson	Robinson	Schaaf	Spreng	Wallace
Young	Mr Speaker			

VACANCIES: 002

On motion of Representative Curls, **SCS HB 2047** was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Baker 25	Bivins	Brandom	Bringer
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Marsh	McClanahan	McGhee	Meiners
Moore	Munzlinger	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Zimmerman	Zweifel	Mr Speaker		

NOES: 005

Bland	Brown 30	Kraus	Muschany	Yates
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PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Baker 123	Brown 50	Cooper 120	Corcoran
Daus	El-Amin	Fares	Hunter	Johnson
Low 39	Lowe 44	May	Meadows	Robinson
Salva	Spreng	Young		

VACANCIES: 002

Representative Portwood declared the bill passed.

**SCS HCS HB 2048, as amended**, relating to the Textbook Transparency Act, was taken up by Representative Zimmerman.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 082

Bivins	Brandom	Brown 30	Cooper 155	Cox
Cunningham 145	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 117	Kelly	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wallace	Wasson	Wells
Weter	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 053

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Dougherty	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Holsman	Hoskins
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	McClanahan	Meadows	Meiners	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Zweifel		

PRESENT: 001

Zimmerman

ABSENT WITH LEAVE: 025

Avery	Baker 25	Baker 123	Bruns	Cooper 120
Corcoran	Donnelly	El-Amin	Fares	Haywood
Hubbard	Hughes	Hunter	Johnson	Jones 89
Kasten	Low 39	Lowe 44	Nasheed	Parson
Robinson	Spreng	Storch	Wright-Jones	Young

VACANCIES: 002



On motion of Representative Zimmerman, **SCS HCS HB 2048, as amended**, was adopted by the following vote:

AYES: 136

Aull	Baker 25	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Burnett	Casey
Chappelle-Nadal	Cox	Cunningham 145	Cunningham 86	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Icet
Jones 89	Jones 117	Kasten	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel				

NOES: 002

Funderburk Muschany

PRESENT: 000

ABSENT WITH LEAVE: 023

Avery	Bland	Bruns	Cooper 120	Cooper 155
Corcoran	Curls	El-Amin	Haywood	Hubbard
Hughes	Hunter	Johnson	Kelly	Lembke
Lowe 44	Nasheed	Robinson	Schaaf	Spreng
Thomson	Young	Mr Speaker		

VACANCIES: 002

1953 *Journal of the House*

On motion of Representative Zimmerman, **SCS HCS HB 2048, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hughes	Ice	Johnson	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Cooper 120	Corcoran	El-Amin	Hubbard
Hunter	Kasten	Lowe 44	Parson	Robinson
Salva	Schlottach	Spreng	Viebrock	Wright 159
Young				

VACANCIES: 002

Representative Portwood declared the bill passed.

**SS SCS HB 2191**, relating to the A+ Schools Program, was taken up by Representative Nasheed.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Bivins	Brandom	Brown 30	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Grisamore	Guest
Hobbs	Hoskins	Icet	Jones 89	Jones 117
Kasten	Kelly	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hughes	Kingery	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Low 39	Lowe 44	McClanahan	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Whorton
Wildberger	Witte	Wright-Jones	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Baker 123	Corcoran	El-Amin	Funderburk
Hubbard	Hunter	Johnson	Robinson	Salva
Sander	Sater	Schieffer	Spreng	Viebrock
Young				

VACANCIES: 002

Representative Nasheed moved that **SS SCS HB 2191** be adopted.

1955 *Journal of the House*

Which motion was defeated by the following vote:

AYES: 081

Bivins	Brandom	Bruns	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Davis	Day
Dethrow	Dixon	Dougherty	Ervin	Faith
Flook	Grisamore	Hobbs	Holsman	Hoskins
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kuessner	Lembke	LeVota	Loehner
Lowe 44	Marsh	May	McGhee	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Onder	Page	Parkinson
Parson	Portwood	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Schaaf	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Threlkeld	Tilley
Walton	Wasson	Weter	Wildberger	Wilson 119
Wilson 130	Wright 159	Yaeger	Zimmerman	Zweifel
Mr Speaker				

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 30
Brown 50	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Deeken	Denison	Donnelly
Dusenberg	Fallert	Fares	Fisher	Frame
Franz	George	Grill	Guest	Harris 23
Harris 110	Haywood	Hodges	Kingery	Komo
Kratky	Kraus	Lampe	Liese	Lipke
Low 39	McClanahan	Meadows	Norr	Oxford
Pearce	Pollock	Pratt	Quinn 9	Roorda
Scavuzzo	Schad	Schieffer	Schoemehl	Shively
Silvey	Talboy	Thomson	Todd	Villa
Vogt	Wallace	Walsh	Wells	Whorton
Witte	Wood	Wright-Jones	Yates	

PRESENT: 001

Rucker

ABSENT WITH LEAVE: 015

Avery	Baker 123	Corcoran	El-Amin	Emery
Funderburk	Hubbard	Hunter	Johnson	Robinson
Salva	Sater	Spreng	Viebrock	Young

VACANCIES: 002

Representative Villa assumed the Chair.

**SCS HB 2065**, relating to psychologists, was taken up by Representative Wasson.

On motion of Representative Wasson, **SCS HB 2065** was adopted by the following vote:

AYES: 149

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Hoskins	Hughes	Hunter
Ice	Johnson	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Low 39	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Wright-Jones	Yaeger
Yates	Zimmerman	Zweifel	Mr Speaker	

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 012

Avery	Corcoran	Day	El-Amin	Haywood
Holsman	Hubbard	Robinson	Salva	Spreng
Vogt	Young			

VACANCIES: 002

On motion of Representative Wasson, **SCS HB 2065** was truly agreed to and finally passed by the following vote:

AYES: 147

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	George	Grill
Grisamore	Guest	Harris 23	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Johnson	Jones 89
Jones 117	Kasten	Kelly	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 014

Avery	Cooper 120	Corcoran	Day	El-Amin
Kingery	Portwood	Robinson	Salva	Schad
Schneider	Spreng	Vogt	Young	

VACANCIES: 002

Representative Villa declared the bill passed.

**SS SCS HCS HB 2058, as amended**, relating to business development tax incentives, was taken up by Representative Pearce.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yaeger
Yates	Mr Speaker			

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Lipke	Low 39	Lowe 44	McClanahan	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Roorda	Rucker	Salva	Scavuzzo	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Walsh	Walton	Whorton
Wildberger	Witte	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 015

Cooper 120	Curls	El-Amin	Franz	Johnson
Liese	McGhee	Meadows	Robinson	Schieffer
Schneider	Spreng	Vogt	Wright-Jones	Young

VACANCIES: 002

1959 *Journal of the House*

On motion of Representative Pearce, **SS SCS HCS HB 2058, as amended**, was adopted by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Denison	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Funderburk
Grill	Grisamore	Guest	Harris 23	Haywood
Hobbs	Hodges	Holsman	Hubbard	Hughes
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	LeVota	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schoeller	Schoemehl	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Wright-Jones	Yaeger	Yates	Zimmerman
Zweifel	Mr Speaker			

NOES: 012

Bringer	Darrough	Dethrow	Frame	George
Harris 110	Kuessner	McClanahan	Oxford	Shively
Skaggs	Witte			

PRESENT: 000

ABSENT WITH LEAVE: 012

Cooper 120	Cooper 155	El-Amin	Franz	Hoskins
Johnson	Liese	Robinson	Schneider	Spreng
Vogt	Young			

VACANCIES: 002



On motion of Representative Pearce, **SS SCS HCS HB 2058, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Daus
Davis	Day	Deeken	Denison	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Funderburk	Grill	Grisamore	Guest	Harris 23
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 010

Bringer	Darrough	Dethrow	Frame	George
Harris 110	Kuessner	Oxford	Skaggs	Witte

PRESENT: 000

ABSENT WITH LEAVE: 013

Cooper 120	El-Amin	Franz	Johnson	Low 39
Marsh	Robinson	Schneider	Spreng	Swinger
Vogt	Wright-Jones	Young		

VACANCIES: 002

Representative Villa declared the bill passed.

**SS HCS HB 1550, as amended**, relating to juvenile court jurisdiction, was taken up by Representative Stevenson.

Representative Self moved the previous question.

1961 *Journal of the House*

Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Schamhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 061

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Nasheed
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 010

Corcoran	El-Amin	Johnson	Low 39	Meiners
Robinson	Schneider	Witte	Wright-Jones	Young

VACANCIES: 002

On motion of Representative Stevenson, **SS HCS HB 1550, as amended**, was adopted by the following vote:

AYES: 103

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Cooper 155
Cox	Cunningham 86	Davis	Day	Deeken
Denison	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hoskins	Hubbard	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lampe	Lembke	Loehner
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schoeller	Self
Silvey	Smith 14	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Villa	Wallace	Walsh	Wasson	Wells
Weter	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yates	Mr Speaker		

NOES: 046

Baker 25	Burnett	Casey	Chappelle-Nadal	Cunningham 145
Curls	Darrough	Daus	Donnelly	Dougherty
Fallert	Frame	George	Grill	Harris 23
Hodges	Holsman	Hughes	Komo	Kratky
Kuessner	LeVota	Liese	Lipke	Lowe 44
McClanahan	Oxford	Page	Quinn 9	Roorda
Rucker	Scavuzzo	Schoemehl	Shively	Smith 150
Spreng	Storch	Swinger	Todd	Vogt
Walton	Whorton	Witte	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Cooper 120	Corcoran	El-Amin	Johnson
Low 39	Robinson	Schneider	Skaggs	Talboy
Wright-Jones	Young			

VACANCIES: 002

1963 *Journal of the House*

On motion of Representative Stevenson, **SS HCS HB 1550, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 099

Aull	Avery	Baker 123	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Funderburk	Grisamore	Guest	Harris 110
Hoskins	Hubbard	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lampe	Lembke	Loehner	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Salva	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Viebrock	Villa	Wallace	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 051

Baker 25	Bland	Burnett	Casey	Chappelle-Nadal
Cunningham 145	Curls	Darrough	Daus	Donnelly
Dougherty	Fallert	Frame	George	Grill
Harris 23	Haywood	Hodges	Holsman	Hughes
Komo	Kratky	Kuessner	LeVota	Liese
Lipke	McClanahan	Oxford	Page	Quinn 9
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Vogt	Walsh	Walton
Whorton	Witte	Yaeger	Young	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 011

Corcoran	El-Amin	Franz	Hobbs	Johnson
Low 39	Lowe 44	Robinson	Schneider	Tilley
Wright-Jones				

VACANCIES: 002

Representative Villa declared the bill passed.

Speaker Jetton resumed the Chair.

**SS HCS HB 1790, as amended**, relating to heart attack and stroke centers, was taken up by Representative Cooper (155).

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 089

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 057

Bland	Bringer	Brown 50	Burnett	Casey
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 110	Haywood
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Lowe 44	McClanahan	Meadows	Meiners
Norr	Oxford	Page	Quinn 9	Roorda
Rucker	Salva	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Storch	Swinger
Talboy	Todd	Villa	Walsh	Walton
Whorton	Wildberger	Witte	Yaeger	Young
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 015

Aull	Baker 25	Chappelle-Nadal	Corcoran	Curls
El-Amin	Harris 23	Johnson	Low 39	Marsh
Nasheed	Robinson	Tilley	Vogt	Wright-Jones

VACANCIES: 002

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On motion of Representative Cooper (155), **SS HCS HB 1790, as amended**, was adopted by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Funderburk
George	Grill	Grisamore	Guest	Harris 110
Haywood	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Scavuzzo	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Skaggs
Smith 14	Smith 150	Spreng	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Corcoran	El-Amin	Franz	Harris 23	Johnson
Low 39	Nasheed	Robinson	Sater	Wright-Jones
Zweifel				

VACANCIES: 002

On motion of Representative Cooper (155), **SS HCS HB 1790, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 150

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Hunter	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Scavuzzo	Schaaf
Schad	Scharnhorst	Schieffer	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	Spreng	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walsh	Walton
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Young	Zimmerman	Zweifel	Mr Speaker

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 011

Burnett	Corcoran	Dougherty	El-Amin	Harris 23
Johnson	Low 39	Robinson	Stevenson	Wasson
Wright-Jones				

VACANCIES: 002

Speaker Jetton declared the bill passed.

### RECONSIDERATION

Representative Brown (50), having voted on the prevailing side, moved that the vote by which **SS SCS HB 2191** was defeated, be reconsidered.

Which motion was adopted by the following vote:

AYES: 105

Baker 123	Bivins	Brandom	Bringer	Brown 50
Bruns	Burnett	Cooper 120	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Davis	Day
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Funderburk	Grisamore
Hobbs	Holsman	Hoskins	Hubbard	Hughes
Hunter	Icet	Jones 89	Jones 117	Kasten
Kelly	Komo	Kraus	Kuessner	Lembke
LeVota	Loehner	Lowe 44	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Page	Parkinson	Parson	Pearce	Portwood
Quinn 7	Richard	Robb	Rucker	Ruestman
Ruzicka	Sander	Sater	Schaaf	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Threlkeld	Tilley	Viebrock	Villa	Walsh
Walton	Wasson	Weter	Wildberger	Wilson 119
Wood	Wright 159	Zimmerman	Zweifel	Mr Speaker

NOES: 044

Aull	Avery	Baker 25	Brown 30	Casey
Chappelle-Nadal	Daus	Dusenberg	Frame	Franz
Grill	Guest	Harris 110	Haywood	Hodges
Kingery	Kratky	Lampe	Liese	Lipke
Meadows	Norr	Oxford	Pollock	Pratt
Quinn 9	Roorda	Salva	Scavuzzo	Schad
Schoemehl	Shively	Talboy	Thomson	Todd
Vogt	Wallace	Wells	Whorton	Wilson 130
Witte	Yaeger	Yates	Young	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bland	Cooper 155	Corcoran	El-Amin	George
Harris 23	Johnson	Low 39	McClanahan	Robinson
Skaggs	Wright-Jones			

VACANCIES: 002

**SS SCS HB 2191**, relating to the A+ Schools Program, was again taken up by Representative Nasheed.

Representative Tilley moved the previous question.



Which motion was adopted by the following vote:

AYES: 090

Avery	Baker 123	Bivins	Brandom	Brown 30
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hoskins	Hubbard
Hunter	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wells	Weter	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Haywood	Hodges
Holsman	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Spreng	Storch	Swinger	Talboy	Todd
Villa	Vogt	Walsh	Walton	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 012

Bruns	Corcoran	Curls	El-Amin	Johnson
Low 39	Robinson	Sater	Self	Wasson
Whorton	Wright-Jones			

VACANCIES: 002

On motion of Representative Nasheed, **SS SCS HB 2191** was adopted by the following vote:

AYES: 088

Baker 123	Bivins	Brandom	Brown 50	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Denison	Dixon	Dougherty	Emery
Ervin	Faith	Fares	Flook	Funderburk
Grisamore	Hobbs	Holsman	Hoskins	Hubbard

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Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kratky	Kraus	Kuessner
Lembke	LeVota	Loehner	Marsh	May
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Page	Parkinson	Parson	Portwood	Quinn 7
Richard	Robb	Rucker	Ruestman	Ruzicka
Salva	Sander	Sater	Schaaf	Scharnhorst
Schlottach	Schneider	Schoeller	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Threlkeld	Tilley	Viebrock	Villa
Walton	Weter	Wildberger	Wilson 119	Wood
Zimmerman	Zweifel	Mr Speaker		

NOES: 064

Aull	Avery	Baker 25	Bland	Bringer
Brown 30	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Deeken	Dethrow	Donnelly
Dusenberg	Fallert	Fisher	Frame	Franz
George	Grill	Guest	Harris 23	Harris 110
Haywood	Hodges	Kelly	Kingery	Komo
Lampe	Liese	Lipke	McClanahan	Meadows
Norr	Oxford	Pearce	Pollock	Pratt
Quinn 9	Roorda	Scavuzzo	Schad	Schieffer
Schoemehl	Shively	Skaggs	Spreng	Swinger
Talboy	Thomson	Todd	Vogt	Wallace
Walsh	Wells	Whorton	Wilson 130	Witte
Wright 159	Yaeger	Yates	Young	

PRESENT: 000

ABSENT WITH LEAVE: 009

Bruns	Corcoran	El-Amin	Low 39	Lowe 44
Robinson	Self	Wasson	Wright-Jones	

VACANCIES: 002

On motion of Representative Nasheed, **SS SCS HB 2191** was truly agreed to and finally passed by the following vote:

AYES: 090

Baker 123	Bivins	Brandom	Brown 50	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Denison	Dixon	Dougherty	Emery
Ervin	Faith	Fares	Flook	Funderburk
Grisamore	Hobbs	Holsman	Hoskins	Hubbard
Hughes	Hunter	Ice	Johnson	Jones 89
Jones 117	Kasten	Kratky	Kraus	Kuessner
Lembke	LeVota	Loehner	Lowe 44	Marsh
May	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Page	Parkinson	Parson	Portwood
Quinn 7	Richard	Robb	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Schaaf

Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Threlkeld	Tilley
Viebrock	Villa	Walton	Weter	Wildberger
Wilson 119	Wood	Zimmerman	Zweifel	Mr Speaker

NOES: 063

Aull	Avery	Baker 25	Bland	Bringer
Brown 30	Burnett	Casey	Chappelle-Nadal	Curls
Darrough	Daus	Deeken	Dethrow	Donnelly
Dusenberg	Fallert	Fisher	Frame	Franz
George	Grill	Guest	Harris 23	Harris 110
Haywood	Hodges	Kelly	Kingery	Komo
Lampe	Liese	Lipke	McClanahan	Meadows
Norr	Oxford	Pearce	Pollock	Pratt
Quinn 9	Roorda	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Spreng	Swinger	Talboy
Thomson	Todd	Vogt	Wallace	Walsh
Wells	Whorton	Wilson 130	Witte	Wright 159
Yaeger	Yates	Young		

PRESENT: 000

ABSENT WITH LEAVE: 008

Bruns	Corcoran	El-Amin	Low 39	Robinson
Self	Wasson	Wright-Jones		

VACANCIES: 002

Speaker Jetton declared the bill passed.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HB 2041**, entitled:

An act to repeal sections 178.585, 288.040, 288.042, 288.070, 288.250, and 290.505, RSMo, and to enact in lieu thereof eight new sections relating to employment, with penalty provisions, an effective date for certain sections, and an emergency clause for a certain section.

With Senate Amendment No. 1.

### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill No. 2041, Page 14, Section 288.070, Line 124, by inserting after all of said line the following:

**"288.131. For calendar years 2009, 2010, and 2011, each employer that is liable for contributions under this chapter, except employers with a contribution rate equal to zero, shall pay an annual unemployment automation surcharge in an amount equal to five one-hundredths of one percent of such employer's total taxable wages for the twelve-month period ending the preceding June thirteenth. However, the division may reduce the foregoing percentage to ensure that the total amount of surcharge due from all employers under this subsection shall not exceed thirteen million dollars annually. Each employer liable to pay such surcharge shall be notified**

of the amount due under this subsection by March thirty-first of each year and such amount shall be considered delinquent thirty days thereafter. Delinquent unemployment automation surcharge amounts may be collected in the manner provided under sections 288.160 and 288.170. All moneys collected under this subsection shall be deposited in the unemployment automation fund established in section 288.312.

2. For calendar years 2009, 2010, and 2011, the otherwise applicable unemployment contribution rate of each employer liable for contributions under this chapter shall be reduced by five one-hundredths of one percent, except such contribution rate shall not be less than zero."; and

Further amend said bill, Page 15, Section 288.250, Line 30, by inserting after all of said line the following:

"288.312. 1. There is hereby created in the state treasury the "Unemployment Automation Fund", with shall consist of money collected under subsection 1 of section 288.131, and such other state funds appropriated by the general assembly. The state treasurer shall be custodian of the fund and may approve disbursements from the fund in accordance with sections 30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall be used solely for the purpose of providing automated systems, and the payment of associated costs, to improve the administration of the state's unemployment insurance program. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, all moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and money earned on such investments shall be credited to the fund.

2. The unemployment automation fund shall not be used in whole or in part for any purpose or in any manner that would permit its substitution for, or a corresponding reduction in, federal funds that would be available in its absence to finance expenditures for the administration of this chapter, or cause the appropriate agency of the United States government to withhold any part of an administrative grant which would otherwise be made."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **HCS#2 SS SCS SB 718, as amended**, and has taken up and passed **CCS HCS#2 SS SCS SB 718**.

## HOUSE BILL WITH SENATE AMENDMENTS

**SCS HCS HB 1883**, relating to employee job protection, was taken up by Representative Nance.

Representative Richard assumed the Chair.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk

Grisamore	Guest	Hobbs	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schoeller	Silvey	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 059

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Hughes	Komo
Kratky	Kuessner	Lampe	LeVota	Liese
Lowe 44	McClanahan	Meadows	Meiners	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Vogt	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 123	Curls	El-Amin	Haywood	Johnson
Low 39	Marsh	Nasheed	Robinson	Schneider
Schoemehl	Self	Smith 14	Spreng	Wright-Jones
Young				

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

On motion of Representative Nance, **SCS HCS HB 1883** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Bivins	Brandom
Bringer	Brown 30	Brown 50	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly

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Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Self	Shively	Silvey
Skaggs	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 005

Burnett	Holsman	Hughes	Oxford	Talboy
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PRESENT: 000

ABSENT WITH LEAVE: 013

Baker 123	Bland	El-Amin	Haywood	Johnson
Low 39	Marsh	Robinson	Schoemehl	Smith 14
Spreng	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Nance, **SCS HCS HB 1883** was truly agreed to and finally passed by the following vote:

AYES: 144

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda

Rucker	Ruestman	Ruzicka	Salva	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Skaggs	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 002

Burnett Hughes

PRESENT: 000

ABSENT WITH LEAVE: 015

Baker 25	El-Amin	Haywood	Johnson	Kuessner
Low 39	Marsh	Robinson	Schoemehl	Smith 14
Spreng	Wright 159	Wright-Jones	Young	Mr Speaker

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 131

Aull	Avery	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Bruns	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 110	Hobbs	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Self	Shively	Silvey	Skaggs	Smith 150
Stevenson	St. Onge	Storch	Stream	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Wallace	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130

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Witte	Wood	Wright 159	Yaeger	Yates
Zweifel				

NOES: 012

Brown 50	George	Hodges	Holsman	Hughes
LeVota	Norr	Scavuzzo	Talboy	Walsh
Whorton	Zimmerman			

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 25	Burnett	El-Amin	Harris 23	Haywood
Hunter	Johnson	Low 39	Marsh	Robinson
Salva	Schoemehl	Smith 14	Spreng	Sutherland
Wright-Jones	Young	Mr Speaker		

VACANCIES: 002

### BILL CARRYING REQUEST MESSAGE

**HCS SCS SB 1170, as amended**, relating to school construction and leases, was taken up by Representative Swinger.

Representative Swinger, having voted on the prevailing side, moved that the vote by which **HCS SCS SB 1170, as amended**, was third read and passed, be reconsidered.

Which motion was adopted by the following vote:

AYES: 140

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	May	McClanahan
McGhee	Meiners	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Quinn 9	Richard
Robb	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream



Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel

NOES: 002

Cooper 155      Silvey

PRESENT: 000

ABSENT WITH LEAVE: 019

Bland	El-Amin	Haywood	Hunter	Johnson
Low 39	Lowe 44	Marsh	Meadows	Moore
Nasheed	Robinson	Salva	Spreng	Vogt
Walton	Wright-Jones	Young	Mr Speaker	

VACANCIES: 002

Representative Swinger, having voted on the prevailing side, moved that the vote by which **HCS SCS SB 1170, as amended**, was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 146

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hughes	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte

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Wood	Wright 159	Yaeger	Yates	Zimmerman
Zweifel				

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Cooper 155	El-Amin	Haywood	Hunter
Johnson	Low 39	Meadows	Robinson	Salva
Spreng	Vogt	Wright-Jones	Young	Mr Speaker

VACANCIES: 002

Representative Cooper (120), having voted on the prevailing side, moved that the vote by which **House Amendment No. 1 to HCS SCS SB 1170** was adopted, be reconsidered.

Which motion was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Chappelle-Nadal	Cooper 120	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 110	Hobbs	Hodges	Holsman
Hubbard	Hughes	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Lowe 44	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nasheed	Nieves
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Skaggs	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zimmerman	Zweifel		

NOES: 003

Day	Nolte	Silvey
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PRESENT: 000

ABSENT WITH LEAVE: 020

Baker 123	Casey	Cooper 155	El-Amin	George
Harris 23	Haywood	Hoskins	Hunter	Johnson
Low 39	Meadows	Norr	Robinson	Salva
Spreng	Vogt	Wright-Jones	Young	Mr Speaker

VACANCIES: 002

**House Amendment No. 1** was withdrawn.

On motion of Representative Swinger, **HCS SCS SB 1170** was adopted.

On motion of Representative Swinger, **HCS SCS SB 1170** was read the third time and passed by the following vote:

AYES: 149

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Johnson	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Wallace	Walsh	Walton
Wasson	Wells	Weter	Whorton	Wildberger
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 000

PRESENT: 000

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ABSENT WITH LEAVE: 012

Baker 123	Haywood	Hunter	Meadows	Robinson
Salva	Spreng	Stevenson	Vogt	Wright-Jones
Young	Mr Speaker			

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hughes
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Lowe 44	Marsh	May
McClanahan	McGhee	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 14	Smith 150	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Baker 123	Bruns	Cooper 120	El-Amin	Haywood
Hubbard	Hunter	Johnson	Meadows	Robinson
Ruestman	Salva	Schlottach	Spreng	Stevenson
Vogt	Wright-Jones	Young	Mr Speaker	

VACANCIES: 002

# HOUSE BILL WITH SENATE AMENDMENTS

**SCS HCS HB 2041, as amended**, relating to unemployment information, was taken up by Representative Fisher.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 088

Avery	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates		

NOES: 057

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hubbard	Hughes	Johnson	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 016

Baker 123	Brown 50	Corcoran	El-Amin	Haywood
Hoskins	Hunter	Lowe 44	Meadows	Robinson
Salva	Spreng	Vogt	Wright-Jones	Young
Mr Speaker				

VACANCIES: 002

On motion of Representative Fisher, **SCS HCS HB 2041, as amended**, was adopted by the following vote:

AYES: 142

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 23	Harris 110
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Kuessner
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Wilson 130
Witte	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel			

NOES: 003

Skaggs	Talboy	Whorton
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PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Corcoran	Donnelly	El-Amin	Haywood
Hughes	Hunter	Johnson	Lowe 44	Meadows
Robinson	Salva	Spreng	Wright-Jones	Young
Mr Speaker				

VACANCIES: 002

On motion of Representative Fisher, **SCS HCS HB 2041, as amended**, was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Icet	Johnson	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Kuessner	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Marsh
May	McClanahan	McGhee	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Talboy	Thomson	Threlkeld	Tilley	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zimmerman	Zweifel

NOES: 002

Hughes Skaggs

PRESENT: 000

ABSENT WITH LEAVE: 014

Baker 123	Corcoran	El-Amin	Haywood	Hunter
Lowe 44	Meadows	Nasheed	Robinson	Salva
Spreng	Wright-Jones	Young	Mr Speaker	

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Representative Young assumed the Chair.

The emergency clause was adopted by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Burnett	Casey	Chappelle-Nadal	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Denison	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Frame	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Holsman
Hoskins	Hubbard	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Lowe 44	Marsh	May
McClanahan	McGhee	Meadows	Meiners	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Quinn 9	Richard	Robb	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Skaggs	Smith 14	Smith 150
Stevenson	St. Onge	Storch	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Wasson	Wells	Weter	Whorton
Wilson 119	Wilson 130	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 016

Corcoran	El-Amin	Haywood	Hughes	Hunter
Johnson	Kasten	Low 39	Nasheed	Robinson
Salva	Spreng	Walton	Wildberger	Wright-Jones
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt resumed the Chair.

## **BILLS IN CONFERENCE**

**CCR HCS SCS SBs 930 & 947, as amended**, relating to transportation, was taken up by Representative St. Onge.

Representative Tilley moved the previous question.



Which motion was adopted by the following vote:

AYES: 084

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Deeken	Denison	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Icet	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lembke
Lipke	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

NOES: 059

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Roorda	Rucker	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 018

Avery	Brown 50	Day	El-Amin	Haywood
Hughes	Hunter	Johnson	Loehner	Lowe 44
Marsh	Meadows	Quinn 7	Robinson	Salva
Spreng	Wright-Jones	Mr Speaker		

VACANCIES: 002

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On motion of Representative St. Onge, **CCR HCS SCS SBs 930 & 947, as amended**, was adopted by the following vote:

AYES: 134

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Deeken	Denison	Dethrow	Dixon	Donnelly
Dougherty	Dusenberg	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	George	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Page	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Wallace	Walsh
Walton	Wasson	Wells	Weter	Whorton
Wildberger	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Yaeger	Yates	Zweifel	

NOES: 010

Bringer	Darrough	Frame	Holsman	LeVota
Low 39	Oxford	Skaggs	Talboy	Vogt

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Brown 50	Day	El-Amin	Haywood
Hughes	Hunter	Johnson	Lowe 44	Meadows
Quinn 7	Robinson	Spreng	Wright-Jones	Young
Zimmerman	Mr Speaker			

VACANCIES: 002

On motion of Representative St. Onge, **CCS HCS SCS SBs 930 & 947** was truly agreed to and finally passed by the following vote:

AYES: 132

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Brown 30	Bruns	Burnett	Casey
Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Daus	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Harris 110	Hobbs	Hodges	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	Liese	Lipke
Loehner	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Page	Parkinson	Pearce	Pollock
Portwood	Pratt	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Self
Shively	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Wallace	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Yaeger
Yates	Zweifel			

NOES: 013

Bringer	Darrough	Frame	George	Holsman
LeVota	Low 39	Oxford	Schoemehl	Skaggs
Talboy	Vogt	Zimmerman		

PRESENT: 000

ABSENT WITH LEAVE: 016

Avery	Brown 50	El-Amin	Haywood	Hughes
Hunter	Johnson	Lowe 44	Parson	Quinn 7
Robinson	Salva	Spreng	Wright-Jones	Young
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR#2 HCS SCS SB 720, as amended**, relating to utility regulations and scrap metal, was taken up by Representative Smith (150).

1987 *Journal of the House*

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Baker 123	Bivins	Brandom	Brown 30	Bruns
Cooper 120	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Lipke	Loehner	Marsh	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 057

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hubbard	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	McClanahan	Meadows
Meiners	Nasheed	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Scavuzzo	Schieffer
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Zimmerman	Zweifel			

PRESENT: 000

ABSENT WITH LEAVE: 017

Avery	Brown 50	El-Amin	George	Haywood
Hughes	Hunter	Johnson	Low 39	Lowe 44
Robinson	Salva	Spreng	Wallace	Wright-Jones
Young	Mr Speaker			

VACANCIES: 002

On motion of Representative Smith (150), **CCR#2 HCS SCS SB 720, as amended**, was adopted by the following vote:

AYES: 119

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bruns	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Faith	Fallert	Fares	Fisher	Flook
Franz	Funderburk	Grill	Grisamore	Guest
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Lampe
Lembke	Liese	Lipke	Marsh	May
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pollock	Portwood	Pratt	Quinn 7	Robb
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Silvey	Skaggs	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	

NOES: 026

Baker 123	Bringer	Brown 30	Burnett	Chappelle-Nadal
Daus	Donnelly	Ervin	Frame	George
Harris 23	Harris 110	Kuessner	LeVota	Loehner
McClanahan	Oxford	Pearce	Quinn 9	Scavuzzo
Shively	Storch	Talboy	Villa	Whorton
Zweifel				

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 015

Brown 50	El-Amin	Haywood	Hughes	Hunter
Johnson	Low 39	Lowe 44	Richard	Robinson
Salva	Spreng	Wallace	Wright-Jones	Mr Speaker

VACANCIES: 002

1989 *Journal of the House*

On motion of Representative Smith (150), **CCS#2 HCS SCS SB 720** was truly agreed to and finally passed by the following vote:

AYES: 117

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Bruns	Casey	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dougherty	Dusenberg	Emery
Faith	Fallert	Fares	Fisher	Flook
Franz	Grill	Grisamore	Guest	Hobbs
Hoskins	Hubbard	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Komo	Kratky
Kraus	Lampe	Lembke	Liese	Lipke
Marsh	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Norr	Onder	Page	Parkinson
Parson	Pearce	Pollock	Portwood	Pratt
Quinn 7	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Vogt	Walsh	Walton
Wasson	Wells	Weter	Wildberger	Wilson 119
Witte	Wood	Wright 159	Yaeger	Yates
Young	Zimmerman			

NOES: 030

Baker 123	Bringer	Brown 30	Burnett	Chappelle-Nadal
Daus	Donnelly	Ervin	Frame	George
Harris 23	Harris 110	Hodges	Holsman	Kuessner
LeVota	Loehner	Low 39	McClanahan	Nasheed
Oxford	Quinn 9	Scavuzzo	Shively	Skaggs
Storch	Talboy	Villa	Whorton	Zweifel

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 013

Brown 50	El-Amin	Funderburk	Haywood	Hughes
Hunter	Johnson	Lowe 44	Robinson	Spreng
Wallace	Wright-Jones	Mr Speaker		

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, relating to energy regulation, was taken up by Representative Schoeller.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lipke	Loehner	Marsh	May	McGhee
Moore	Munzlinger	Muschany	Nance	Nieves
Nolte	Onder	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Threlkeld
Tilley	Viebrock	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates

NOES: 059

Aull	Baker 25	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Donnelly	Dougherty	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Holsman	Hoskins	Hubbard	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	Low 39
McClanahan	Meiners	Norr	Oxford	Page
Quinn 9	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 017

Bland	Cooper 120	El-Amin	Haywood	Hughes
Hunter	Johnson	Lembke	Lowe 44	Meadows
Nasheed	Robinson	Smith 14	Spreng	Wallace
Wright-Jones	Mr Speaker			

VACANCIES: 002

1991 *Journal of the House*

On motion of Representative Schoeller, **CCR HCS SCS SBs 1181, 1100, 1262 & 1263, as amended**, was adopted by the following vote:

AYES: 135

Aull	Avery	Baker 25	Bivins	Bland
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Corcoran	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	Emery	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	Grill	Grisamore	Guest
Harris 23	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	Liese	Lipke	Loehner
Lowe 44	Marsh	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Skaggs	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Vogt
Walsh	Walton	Wasson	Wells	Weter
Wildberger	Wilson 119	Witte	Wood	Wright 159
Yaeger	Yates	Young	Zimmerman	Zweifel

NOES: 011

Baker 123	Bringer	Daus	Ervin	George
Harris 110	Kuessner	Scavuzzo	Talboy	Villa
Whorton				

PRESENT: 001

Wilson 130

ABSENT WITH LEAVE: 014

Cooper 120	El-Amin	Haywood	Hughes	Hunter
Johnson	LeVota	Low 39	Robinson	Smith 14
Spreng	Wallace	Wright-Jones	Mr Speaker	

VACANCIES: 002



On motion of Representative Schoeller, **CCS HCS SCS SBs 1181, 1100, 1262 & 1263** was truly agreed to and finally passed by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	Dusenberg	El-Amin
Emery	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	Grill
Grisamore	Guest	Harris 23	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	LeVota
Liese	Lipke	Loehner	Low 39	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nasheed	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Vogt	Walton	Wasson
Wells	Weter	Wildberger	Wilson 119	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel			

NOES: 011

Bringer	Daus	Ervin	George	Harris 110
Kuessner	Schlottach	Skaggs	Talboy	Villa
Whorton				

PRESENT: 002

Hughes	Wilson 130
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ABSENT WITH LEAVE: 011

Cooper 120	Haywood	Hunter	Johnson	Robinson
Smith 14	Spreng	Wallace	Walsh	Wright-Jones
Mr Speaker				

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

**CCR HCS#2 SS SCS SB 718, as amended**, relating to incentives for business development, was taken up by Representative Pearce.

1993 *Journal of the House*

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Brandom	Brown 30	Bruns
Cooper 155	Cox	Cunningham 145	Davis	Day
Deeken	Dethrow	Dixon	Dusenberg	Emery
Ervin	Faith	Fares	Fisher	Flook
Franz	Funderburk	Grisamore	Guest	Hobbs
Iceet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Kraus	Lembke	Lipke	Loehner
Marsh	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nieves	Nolte	Onder
Parkinson	Parson	Pearce	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	

NOES: 058

Aull	Baker 25	Bringer	Burnett	Casey
Chappelle-Nadal	Curls	Darrough	Daus	Donnelly
Dougherty	Fallert	Frame	George	Grill
Harris 23	Harris 110	Hodges	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Roorda	Rucker	Salva	Scavuzzo
Schoemehl	Shively	Skaggs	Storch	Swinger
Talboy	Todd	Villa	Vogt	Walsh
Walton	Whorton	Wildberger	Witte	Yaeger
Young	Zimmerman	Zweifel		

PRESENT: 000

ABSENT WITH LEAVE: 019

Bivins	Bland	Brown 50	Cooper 120	Corcoran
Cunningham 86	Denison	El-Amin	Haywood	Holsman
Hunter	Johnson	Robinson	Schieffer	Smith 14
Spreng	Wallace	Wright-Jones	Mr Speaker	

VACANCIES: 002

On motion of Representative Pearce, **CCR HCS#2 SS SCS SB 718, as amended**, was adopted by the following vote:

AYES: 138

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Rucker
Ruestman	Ruzicka	Salva	Sander	Sater
Scavuzzo	Schaaf	Schad	Scharnhorst	Schieffer
Schlottach	Schneider	Schoeller	Schoemehl	Self
Shively	Silvey	Smith 150	Stevenson	St. Onge
Storch	Stream	Sutherland	Swinger	Talboy
Thomson	Threlkeld	Tilley	Todd	Viebrock
Villa	Vogt	Walsh	Walton	Wasson
Wells	Weter	Whorton	Wildberger	Wilson 119
Wilson 130	Wood	Wright 159	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 010

Bringer	Dethrow	Frame	George	Harris 110
Kuessner	Lowe 44	Oxford	Skaggs	Witte

PRESENT: 000

ABSENT WITH LEAVE: 013

Bland	Cooper 120	Corcoran	Denison	Haywood
Hunter	Johnson	Robinson	Smith 14	Spreng
Wallace	Wright-Jones	Young		

VACANCIES: 002

1995 *Journal of the House*

On motion of Representative Pearce, **CCS HCS#2 SS SCS SB 718** was truly agreed to and finally passed by the following vote:

AYES: 137

Aull	Avery	Baker 25	Baker 123	Bivins
Brandom	Brown 30	Brown 50	Bruns	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Deeken	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Franz
Funderburk	Grill	Grisamore	Guest	Harris 23
Hobbs	Hodges	Holsman	Hoskins	Hubbard
Hughes	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Komo	Kratky	Kraus
Lampe	Lembke	LeVota	Liese	Lipke
Loehner	Low 39	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Page	Parkinson	Parson
Pearce	Pollock	Portwood	Pratt	Quinn 7
Quinn 9	Richard	Robb	Roorda	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Wood
Wright 159	Yaeger	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 009

Bringer	Dethrow	Frame	George	Harris 110
Kuessner	Oxford	Skaggs	Witte	

PRESENT: 000

ABSENT WITH LEAVE: 015

Bland	Cooper 120	Corcoran	Denison	Haywood
Hunter	Johnson	Lowe 44	Robinson	Rucker
Schieffer	Smith 14	Spreng	Wallace	Wright-Jones

VACANCIES: 002

Speaker Pro Tem Pratt declared the bill passed.

Speaker Jetton resumed the Chair.

## SENATE CONCURRENT RESOLUTIONS

**SCS SCR 39**, relating to graduate medical education funds, was taken up by Representative Talboy.

On motion of Representative Talboy, **SCS SCR 39** was adopted by the following vote:

AYES: 142

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Burnett
Casey	Chappelle-Nadal	Cooper 155	Cox	Cunningham 145
Cunningham 86	Curls	Darrough	Daus	Davis
Day	Dethrow	Dixon	Donnelly	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	May	McClanahan	McGhee
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Norr	Onder
Oxford	Page	Parkinson	Parson	Pearce
Pollock	Portwood	Pratt	Quinn 7	Quinn 9
Richard	Robb	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Skaggs	Smith 150	Stevenson	St. Onge	Storch
Stream	Sutherland	Swinger	Talboy	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yates	Young	Zimmerman
Zweifel	Mr Speaker			

NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 019

Avery	Bruns	Cooper 120	Corcoran	Deeken
Denison	Haywood	Hunter	Johnson	Marsh
Nasheed	Robinson	Schieffer	Smith 14	Spreng
Vogt	Wallace	Wright-Jones	Yaeger	

VACANCIES: 002

**SCR 40**, relating to furniture and appliance safety, was taken up by Representative Pratt.

Representative Tilley moved the previous question.

1997 *Journal of the House*

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Cox	Cunningham 145	Cunningham 86	Davis	Day
Deeken	Denison	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Ice	Jones 89	Jones 117	Kasten
Kelly	Kingery	Kraus	Lembke	Lipke
Loehner	Marsh	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Portwood	Pratt	Quinn 7	Richard	Robb
Ruestman	Ruzicka	Sander	Sater	Schaaf
Schad	Scharnhorst	Schlottach	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 060

Aull	Baker 25	Bland	Bringer	Burnett
Casey	Chappelle-Nadal	Curls	Darrough	Daus
Donnelly	Dougherty	El-Amin	Fallert	Frame
George	Grill	Harris 23	Harris 110	Hodges
Hoskins	Hubbard	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Low 39	Lowe 44
McClanahan	Meadows	Meiners	Nasheed	Norr
Oxford	Page	Quinn 9	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Walsh	Walton	Whorton	Wildberger
Witte	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 016

Brown 50	Bruns	Cooper 120	Cooper 155	Corcoran
Haywood	Holsman	Hughes	Hunter	Johnson
Robinson	Schneider	Spreng	Sutherland	Vogt
Wright-Jones				

VACANCIES: 002

On motion of Representative Pratt, **SCR 40** was adopted by the following vote:

AYES: 143

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Cox
Cunningham 145	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Denison	Dixon

Donnelly	Dougherty	Dusenberg	El-Amin	Ervin
Faith	Fallert	Fares	Fisher	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hughes	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Low 39
Lowe 44	Marsh	May	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pollock	Portwood
Pratt	Quinn 7	Quinn 9	Richard	Robb
Roorda	Rucker	Ruestman	Ruzicka	Salva
Sander	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Yates	Young
Zimmerman	Zweifel	Mr Speaker		

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Brown 30	Dethrow	Emery	Icet
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PRESENT: 000

ABSENT WITH LEAVE: 014

Cooper 120	Corcoran	Flook	Haywood	Hunter
Johnson	McClanahan	Nasheed	Pearce	Robinson
Sater	Spreng	Vogt	Wright-Jones	

VACANCIES: 002

Representative Hubbard assumed the Chair.

### MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SS SCS HB 2081**, entitled:

An act to repeal sections 190.107, 194.119, 194.233, 333.011, 334.500, 334.506, 334.530, 334.540, 334.550, 334.560, 334.570, 334.610, 334.650, 334.655, 334.660, 334.665, 334.670, 334.675, 339.010, 339.150, and 376.811, RSMo, and to enact in lieu thereof thirty-four new sections relating to professional services, with penalty provisions.

With Senate Amendment No. 1 to Senate Amendment No. 1, Senate Amendment No. 1, as amended, Senate Amendment No. 2, Senate Amendment No. 7, Senate Amendment No. 8, and Senate Substitute Amendment No. 1 for Senate Amendment No. 9.

*Senate Amendment No. 1*  
*to*  
*Senate Amendment No. 1*

AMEND Senate Amendment No. 1 to Senate Substitute for Senate Committee Substitute for House Bill No. 2081, Page 19, Section 436.055, Line 11, by striking the first use of the opening and closing brackets on said line.

*Senate Amendment No. 1*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 2081, Page 70, Section 367.811, Line 5 of said page, by inserting after all of said line the following:

"436.005. As used in sections 436.005 to [436.071] **436.072**, unless the context otherwise requires, the following terms shall mean:

(1) "Beneficiary", the individual who is to be the subject of the disposition and who will receive funeral services, facilities or merchandise described in a preneed contract;

(2) "Division", the division of professional registration of the department of [economic development] **insurance, financial institutions and professional registration;**

(3) "Funeral merchandise", caskets, grave vaults, or receptacles, and other personal property incidental to a funeral or burial service, and such term shall also include grave lots, grave space, grave markers, monuments, tombstones, crypts, niches or mausoleums if, but only if, such items are sold:

(a) By a companion agreement which is sold in contemplation of trade or barter for grave vaults or funeral or burial services and funeral merchandise; or

(b) At prices, in excess of prevailing market prices, intended to be offset by reductions in the costs of funeral or burial services or facilities which are not immediately required;

(4) "Person", any individual, partnership, corporation, cooperative, association, or other entity;

(5) "Preneed contract", any contract or other arrangement which requires the [current] payment of money or other property in consideration for the final disposition of a dead human body, or for funeral or burial services or facilities, or for funeral merchandise, where such disposition, services, facilities or merchandise are not immediately required, including, but not limited to, an agreement providing for a membership fee or any other fee having as its purpose the furnishing of burial or funeral services or merchandise at a discount, except for contracts of insurance, including payment of proceeds from contracts of insurance, unless the preneed seller or provider is named as the owner or beneficiary in the contract of insurance. **In no instance shall preneed contract be funded by term life insurance;**

(6) "Preneed trust", a trust established by a seller, as grantor, to receive deposits of, administer, and disburse payments received under preneed contracts by such seller, together with income thereon;

(7) "Provider", the person obligated to provide the disposition and funeral services, facilities, or merchandise described in a preneed contract;

(8) "Purchaser", the person who is obligated to make payments under a preneed contract;

(9) "Seller", the person who sells a preneed contract to a purchaser and who is obligated to collect and administer all payments made under such preneed contract;

(10) "State board", the Missouri state board of embalmers and funeral directors;

(11) "Trustee", the trustee of a preneed trust, including successor trustees.

436.007. 1. Each preneed contract made after August 13, 1982, shall be void and unenforceable unless:

(1) It is in writing;

(2) It is executed by a seller who is in compliance with the provisions of section 436.021;

(3) It identifies the contract beneficiary and sets out in detail the final disposition of the dead body and funeral services, facilities, and merchandise to be provided;

(4) It identifies the preneed trust into which contract payments shall be deposited, including the name and address of the trustee thereof;

(5) The terms of such trust and related agreements among two or more of the contract seller, the contract provider, and the trustee of such trust are in compliance with the provisions of sections 436.005 to [436.071] **436.072**;

(6) It contains the name and address of the seller and the provider.

2. If a preneed contract does not comply with the provisions of sections 436.005 to [436.071] **436.072**, all payments made under such contract shall be recoverable by the purchaser, his heirs, or **the purchaser's** legal



representative, from the contract seller or other payee thereof, together with interest at the rate of ten percent per annum and all reasonable costs of collection, including attorneys' fees.

3. Each preneed contract made before August 13, 1982, and all payments and disbursements under such contract shall continue to be governed by sections 436.010 to 436.080, as those sections existed at the time the contract was made; but, the provisions of subsection 2 of section 436.035 may be applied to all preneed contracts which are executory on August 13, 1982.

4. Subject to the provisions of subdivision (5) of section 436.005, the provisions of sections 436.005 to [436.071] **436.072** shall apply to the assignment of proceeds of any contract of insurance for the purpose of funding a preneed contract or written in conjunction with a preneed contract. Laws regulating insurance shall not apply to preneed contracts, but shall apply to any insurance sold with a preneed contract.

5. No preneed contract shall become effective unless and until the purchaser thereof has placed his **or her** signature in a space provided on such contract, or application therefor, and the purchaser has received a copy of such contract signed by the seller.

6. The seller and the provider of a preneed contract may be the same person.

436.011. 1. Any seller who designates a person as a provider in a preneed contract without a contractual relationship with such person is in violation of the provisions of sections 436.005 to [436.071] **436.072**. **Upon request of the board, a licensed seller or provider shall provide a copy of any preneed contract or any contract or agreement with a seller or provider.**

2. Any person who knowingly permits a seller to sell a preneed contract designating him as the provider or as one of two or more providers who will furnish the funeral merchandise and services described in the preneed contract shall provide the funeral merchandise and services described in the preneed contract for the beneficiary. Failure of any such person to do so shall be a violation of the provisions of sections 436.005 to [436.071] **436.072** and shall be cause for suspension or revocation of that person's license under the provisions of section 333.061, RSMo.

3. If a provider has knowledge that a seller is designating him **or her** as the provider of funeral merchandise and services under any preneed contract and fails within thirty days after first obtaining such knowledge to take action to prevent the seller from so designating him **or her** as the provider, the provider shall be deemed to have consented to such designation.

436.015. 1. No person shall perform or agree to perform the obligations of, or be designated as, the provider under a preneed contract unless, at the time of such performance, agreement or designation:

(1) Such person is licensed by the state board as a funeral establishment pursuant to the provisions of section 333.061, RSMo, but such person need not be licensed as a funeral establishment if [he] **such person** is the owner of real estate situated in Missouri which has been formally dedicated for the burial of dead human bodies and the contract only provides for the delivery of one or more grave vaults at a future time and is in compliance with the provisions of chapter 214, RSMo; and

(2) Such person is registered **to conduct business with the secretary of state and is licensed** with the state board **as a provider and pays a licensing fee to be established by the board** and files with the state board a written consent authorizing the state board to order an **investigation**, examination [and if necessary an audit by the staff of the division of professional registration who are not connected with the board], **or audit** of its **joint accounts or** books and records which contain information concerning preneed contracts sold for, [in] **on** behalf of, or in which he **or she** is named as provider of the described funeral merchandise or services. **The state board may order an investigation to determine compliance with sections 436.005 to 436.072.**

2. Each provider under one or more preneed contracts shall:

(1) Furnish the state board in writing with the name and address of each seller authorized by the provider to sell preneed contracts in which the provider is named as such within fifteen days after the provider signs a written agreement or authorization permitting the seller to sell preneed contracts designating or obligating the provider as the "provider" under the contract. This notification requirement shall include a provider who, itself, acts as seller;

(2) **Pay an annual fee and file annually with the state board by the thirty-first day of October a report [which]. Annual reports filed after the date provided in this section shall be subject to a late fee of one hundred dollars for every six months past the renewal deadline or an amount determined by the board by rule. The annual report shall contain:**

(a) The business name or names of the provider and all addresses from which it engages in the practice of its business;

(b) The name and address of each seller with whom it has entered into a written agreement since last filing a report **including the total payments collected by the provider for each preneed contract since the last annual report filed with the board;**

(c) The name and address of the custodian of its books and records containing information about preneed contract sales and services; **and**

**(d) The name and address of the financial institutions in which joint accounts are held as authorized by section 436.053, or that issued any certificate of deposit purchased on behalf of a preneed contract beneficiary;**

(3) Cooperate with the state board, the office of the attorney general of Missouri, and the division in any investigation, examination or audit brought under the provisions of sections 436.005 to [436.071] **436.072;**

(4) At least thirty days prior to selling or otherwise disposing of its business assets, or its stock if a corporation, or ceasing to do business, give written notification to the state board and to all sellers with whom it has one or more preneed contracts of its intent to engage in such sale or to cease doing business. In the case of a sale of assets or stock, the written notice shall also contain the name, **phone number**, and address of the purchaser. Upon receipt of such written notification, the state board may take reasonable and necessary action to determine that any preneed contracts which the provider is obligated to service will be satisfied at the time of need, **including, but not limited to, an examination of books and records or audit of any joint account.** The state board may waive the requirements of this subsection, or may shorten the period of notification whenever in its discretion it determines that compliance with its provisions are not necessary. Failure of the state board to take action regarding such sale or termination of business within thirty days shall constitute such a waiver.

3. It is a violation of the provisions of sections 436.005 to [436.071] **436.072** and subdivision (3) of section 333.121, RSMo, for any person to sell, transfer or otherwise dispose of the assets of a provider without first complying with the provisions of subdivision (4) of subsection 2 of this section. This violation shall be in addition to the provisions of section 436.061.

4. If any licensed embalmer, funeral director or licensed funeral establishment shall knowingly allow such licensee's name to be designated as the provider under, or used in conjunction with the sale of, any preneed contract, such licensee shall be liable for the provider's obligations under such contract.

5. With respect to a provider or seller licensed under the provisions of chapter 333, RSMo, any violation of the provisions of sections 436.005 to 436.071 shall constitute a violation of subdivision (3) of section 333.121, RSMo.

436.021. 1. No person, including without limitation a person who is a provider under one or more preneed contracts, shall sell, perform or agree to perform the seller's obligations under, or be designated as the seller of, any preneed contract unless, at the time of that sale, performance, agreement, or designation, that person shall:

(1) Be an individual resident of Missouri or a business entity duly authorized to transact business in Missouri **and registered with the secretary of state;**

(2) Have established, as grantor, a preneed trust or trusts with terms consistent with sections 436.005 to 436.071;

(3) Have registered with the state board **and have paid a licensing fee to be established by the board by rule.**

2. **In lieu of establishing a trust, the applicant may certify to the board that a whole life insurance policy will be purchased on the life of the beneficiary for each preneed contract, or that a certificate of deposit will be purchased on behalf of the beneficiary of the contract, provided that no amount shall be borrowed against such certificate, nor shall such certificates be redeemed for their cash value, until the terms of the contract have been fully performed.**

3. Each seller under one or more preneed contracts shall:

(1) Maintain adequate records of all such contracts and related agreements with providers and the trustee of preneed trusts regarding such contracts, including copies of all such agreements;

(2) Notify the state board in writing of the name and address of each provider who has authorized the seller to sell one or more preneed contracts under which the provider is designated or obligated as the contract's "provider";

(3) File annually with the state board **by the thirty-first day of October** a signed and notarized report on forms provided by the state board **and pay the annual renewal fee established by the board by rule. Annual reports filed after the date provided in this section shall be subject to a late fee of one hundred dollars for every six months past the renewal deadline or any amount as determined by the board by rule. Any seller who fails to file their annual report on or before the thirty-first day of October shall be prohibited from selling any preneed contracts until the annual report, and all applicable fees, have been paid to the board.** Such [a] report shall [only] contain:

(a) The date the report is submitted and the date of the last report;

(b) The name and address of each provider with whom it is under contract;

(c) The total number of preneed contracts sold in Missouri since the filing of the last report **and a detailed list including the name, contract number, amount of each preneed contract the seller has written in Missouri since the last filing report, the amount the seller has received as payment for each preneed contract and the address and phone number of the purchaser as reflected in the contract;**

(d) The total face value of all preneed contracts sold in Missouri since the filing of the last report;

(e) The name and address of the **insurance company issuing a whole life insurance policy on the life of each beneficiary for each preneed contract or the** financial institution in Missouri in which it maintains the trust accounts required under the provisions of sections 436.005 to [436.071] **436.072** and the account numbers of such trust accounts, **or the financial institution that issued any certificate of deposit purchased on behalf of a preneed contract beneficiary;**

(f) A consent authorizing the state board to order an examination and if necessary an audit [by staff of the division of professional registration who are not connected with the board] of the trust account, designated by depository and account number. [The staff of the division of professional registration in conducting the audit shall not release a detailed accounting of the trust account to the board unless there exist circumstances indicating that the account does not comply with the requirements of sections 436.005 to [436.071] **436.072**, but shall provide the board with a summary of the examination or audit showing general compliance with the provisions of sections 436.005 to 436.071];

(4) File with the state board a consent authorizing the state board to order an **investigation**, examination and if necessary an audit [by staff of the division of professional registration who are not connected with the board] of its books and records relating to the sale of preneed contracts and the name and address of the person designated by the seller as custodian of these books and records. [The staff of the division of professional registration in conducting the audit shall not release a detailed accounting of the trust account to the board unless there exist circumstances indicating that the account does not comply with the requirements of sections 436.005 to 436.071, but shall provide the board with a summary of the examination or audit showing general compliance with the provisions of sections 436.005 to 436.071];

(5) Cooperate with the state board, the office of the attorney general, [and] the division, **the division of finance, and the division of insurance** in any investigation, examination or audit brought under the provisions of sections 436.005 to [436.071] **436.072**.

[3.] **4.** Prior to selling or otherwise disposing of a majority of its business assets, or a majority of its stock if a corporation, or ceasing to do business as a seller, the seller shall provide written notification to the state board of its intent to engage in such sale at least sixty days prior to the date set for the closing of the sale, or of its intent to cease doing business at least sixty days prior to the date set for termination of its business. The written notice shall be sent, at the same time as it is provided to the state board, to all providers who are then obligated to provide funeral services or merchandise under preneed contracts sold by the seller. Upon receipt of the written notification, the state board may take reasonable and necessary action to determine that the seller has made proper plans to assure that the trust [assets] **accounts** of the seller will be set aside and used to service outstanding preneed contracts sold by the seller, **including, but not limited to, an examination of books and records or audit of the trust account.** The state board may waive the requirements of this subsection or may shorten the period of notification whenever in its discretion it determines that compliance with its provisions are not necessary. Failure of the state board to take action regarding such sale or termination of business within sixty days shall constitute such a waiver.

[4.] **5.** It is a violation of the provisions of sections 436.005 to [436.071] **436.072** for any person to sell, transfer or otherwise dispose of the assets of a seller without first complying with the provisions of subsection 3 of this section.

436.027. The seller may retain as his **or her** own money, for the purpose of covering his selling expenses, servicing costs, and general overhead, the initial funds so collected or paid until he **or she** has received for his **or her** use and benefit an amount not to exceed twenty percent of the total amount agreed to be paid by the purchaser of such prepaid funeral benefits as such total amount is reflected in the contract. **After the seller retains the amount authorized by this section, all funds paid to the purchaser shall be placed in trust, or shall be used to purchase insurance or certificates of deposit, as authorized by this chapter.**

436.031. 1. The trustee of a preneed trust shall be a state or federally chartered financial institution authorized to exercise trust powers in Missouri. The trustee shall accept all deposits made to it by the seller of a preneed contract and shall hold, administer, and distribute such deposits, in trust, as trust principal, pursuant to the provisions of sections 436.005 to [436.071] **436.072**. Payments regarding two or more preneed contracts may be deposited into and commingled in the same preneed trust, so long as the trust's grantor is the seller of all such preneed contracts and the trustee maintains adequate records of all payments received.

2. All property held in a preneed trust, including principal and undistributed income, shall be invested and reinvested by the trustee thereof. The trustee shall exercise such judgment and care under circumstances then prevailing

which men of ordinary prudence, discretion, and intelligence exercise in the management of their own affairs, not in regard to speculation but in regard to the permanent disposition of their [funds] **moneys**, considering the probable income therefrom as well as the probable safety of their capital. [A preneed trust agreement may provide that when the principal and interest in a preneed trust exceeds two hundred fifty thousand dollars, investment decisions regarding the principal and undistributed income may be made by a federally registered or Missouri-registered independent qualified investment advisor designated by the seller who established the trust; provided, that title to all investment assets shall remain with the trustee and be kept by the trustee to be liquidated upon request of the advisor of the seller.] In no case shall control of said assets be divested from the trustee nor shall said assets be placed in any investment which would be beyond the authority of a reasonably prudent trustee to invest in. [The trustee shall be relieved of all liability regarding investment decisions made by such qualified investment advisor.]

3. The seller of a preneed contract shall be entitled to all income, including, without limitation, interest, dividends, and capital gains, and losses generated by the investment of preneed trust property regarding such contract, and the trustee of the trust may distribute all income, net of losses, to the seller at least annually; but no such income distribution shall be made to the seller if, and to the extent that, the distribution would reduce the aggregate market value on the distribution date of all property held in the preneed trust, including principal and undistributed income, below the sum of all deposits made to such trust pursuant to subsection 1 of this section for all preneed contracts then administered through such trust.

4. All expenses of establishing and administering a preneed trust, including, without limitation, trustee's fees, legal and accounting fees, investment expenses, and taxes, shall be paid or reimbursed directly by the seller of the preneed contracts administered through such trust and shall not be paid from the principal of a preneed trust.

5. The trustee of a preneed trust shall maintain adequate books of account of all transactions administered through the trust and pertaining to the trust generally. The trustee shall assist **the** seller who established the trust or its successor in interest in the preparation of the annual report described in subdivision (3) of subsection 2 of section 436.021. The seller shall furnish to each contract purchaser, within fifteen days after receipt of the purchaser's written request, a written statement of all deposits made to such trust regarding such purchaser's contract.

6. The trustee of a preneed trust shall, from time to time, distribute trust principal as provided by sections 436.005 to [436.071] **436.072**.

7. A preneed trust shall terminate when trust principal no longer includes any payments made under any preneed contract, and upon such termination the trustee shall distribute all trust property, including principal and undistributed income, to the seller which established the trust.

436.048. If a seller shall fail to make timely payment of an amount due a purchaser or a provider pursuant to the provisions of sections 436.005 to [436.071] **436.072**, the purchaser or provider, as appropriate, shall have the right, in addition to other rights and remedies against such seller, to make demand upon the trustee of the preneed trust for the contract to distribute to the purchaser or provider from the trust, as damages for its breach, an amount equal to all deposits made into the trust for the contract.

436.051. Upon the death or legal incapacity of a purchaser, all rights and remedies granted to the purchaser pursuant to the provisions of sections 436.005 to [436.071] **436.072** shall be enforceable by and accrue to the benefit of the purchaser's legal representative or [his] **the purchaser's** successor designated in such contract, and all payments otherwise payable to the purchaser shall be paid to that person.

436.053. 1. Notwithstanding the provisions of sections 436.021 to 436.048, the provider and the purchaser may agree that all [funds] **moneys** paid the provider by the purchaser shall be deposited with financial institutions chartered and regulated by the federal or state government authorized to do business in Missouri in an account in the joint names and under the joint control of the provider and purchaser. If the purchaser has irrevocably waived and renounced his right to cancel the agreement between the provider and the purchaser pursuant to subdivision (5) of this subsection, such agreement may provide that all funds held in the account at the beneficiary's death shall be applied toward the purchase of funeral or burial services or facilities, or funeral merchandise, selected by the purchaser or the responsible party after the beneficiary's death, in lieu of the detailed identification of such items required by subdivision (3) of subsection 1 of section 436.007. The agreement between the provider and purchaser shall provide that:

(1) The total consideration to be paid by the purchaser under the contract shall be made in one or more payments into the joint account, **including the name and address of the financial institution which holds such moneys and the account numbers of such moneys**, at the time the agreement is executed or, thereafter within five days of receipt, respectively, **and the agreements shall contain the name and address of the financial institution that holds such moneys and the account numbers of such moneys**;

(2) The financial institution shall hold, invest, and reinvest the deposited [funds] **moneys** in savings accounts, certificates of deposit or other accounts offered to depositors by the financial institutions, as the [agreement] **contract** shall provide;

(3) The income generated by the deposited funds shall be used to pay the reasonable expenses of administering the agreement, and the balance of the income shall be distributed or reinvested as provided in the agreement;

(4) At any time before the final disposition, or before funeral services, facilities, and merchandise described in a preneed contract are furnished, the purchaser may cancel the contract without cause by delivering written notice thereof to the provider and the financial institution, and within fifteen days after its receipt of the notice, the financial institution shall distribute the deposited [funds] **moneys** to the purchaser;

(5) Notwithstanding the provisions of subdivision (4) of this subsection, if a purchaser is eligible, becomes eligible, or desires to become eligible to receive public assistance under chapter 208, RSMo, or any other applicable state or federal law, the purchaser may irrevocably waive and renounce his **or her** right to cancel such [agreement] **contract**. The waiver and renunciation must be in writing and must be delivered to the provider and the financial institution, **if requested**;

(6) If the death of the beneficiary occurs outside the general area served by the provider, then the provider shall either provide for the furnishing of comparable funeral services and merchandise by a licensed mortuary selected by the purchaser or, at the provider's option, shall pay over to the purchaser in fulfillment of the obligation of the preneed contract, an amount equal to the sums actually paid in cash by such purchaser under such preneed contract together with interest to be provided for in the contract, in which event the financial institution shall distribute the deposited funds to the provider;

(7) Within fifteen days after a provider and a witness certifies in writing to the financial institution that he **or she** has furnished the final disposition, or funeral services, facilities, and merchandise described in a contract, or has provided alternative funeral **arrangements or** benefits for the beneficiary pursuant to special arrangements made with the purchaser, if the certification has been approved by the purchaser, then the financial institution shall distribute the deposited funds to the provider.

2. There shall be a separate joint account as described in subsection 1 of this section for each preneed contract sold or arranged under this section.

3. If the total face value of the contracts sold by a provider operating solely under the provisions of this section does not exceed thirty-five thousand dollars in any one fiscal year, such a provider shall not be required to pay the annual reporting fee for such year required under subsection 1 of section 436.069.

**436.054. It is unlawful for the seller to:**

(1) **Purchase with preneed funds any term life insurance to fund the preneed contract;**

(2) **Procure or accept any loan against any life insurance contract.**

436.055. 1. All complaints received by the state board which allege a [registrant's] **licensee's** noncompliance with the provisions of sections 436.005 to [436.071 shall be forwarded to the division of professional registration for investigation, except minor complaints which the state board can mediate or otherwise dispose of by contacting the parties involved] **436.072, or allege that a licensee has committed any act for which the board may discipline or refuse to issue a license under section 436.062, may be investigated by the board.** A copy of each such complaint shall be forwarded to the subject [registrant] **licensee**, except [that each complaint] **the board shall not be required to forward complaints** in which the complainant alleges [under oath] that a [registrant] **licensee** has misappropriated preneed contract payments [may be forwarded to the division of professional registration without notice to the subject registrant]. **This section shall not be construed to limit the board's authority to file a complaint with the administrative hearing commission charging a licensee of the board with any actionable conduct or violation, regardless of whether such complaint exceeds the scope of acts charged in a preliminary public complaint filed with the board and whether any public complaint has been filed with the board.**

2. [The division shall investigate each complaint forwarded from the state board using staff who are not connected with the state board and shall forward the results of such investigation to the subject registrant and to the attorney general for evaluation. If the attorney general, after independent inquiry using staff of the attorney general's office who have not represented the board, determines that there is no probable cause to conclude that the registrant has violated sections 436.005 to 436.071, the registrant and the state board shall be so notified and the complaint shall be dismissed; but, if the attorney general determines that there is such probable cause the registrant shall be so notified and the results of such evaluation shall be transmitted to the state board for further action as provided in sections 436.061 and 436.063.] **The board may investigate, examine or audit the books or records of any licensee, or examine or audit a preneed trust or joint account, at any time to ensure a licensee's compliance with the provisions of sections**

**436.005 to 436.072.** The board shall have authority to conduct random inspections or audits with or without cause.

3. Upon determining that an inspection, investigation, examination or audit shall be conducted, the board shall issue a notice authorizing one or more employees or independent contractors to perform such inspection, investigation, examination or audit and instructing such employees or independent contractors as to the scope of such inspection, investigation, examination or audit. The board shall not appoint any employee or contract if such employee or contractor either directly or indirectly has a conflict of interest or is affiliated with the management of, or owns a pecuniary interest in, any person subject to inspection, investigation, examination or audit under section 436.005 to 436.072. The board shall request that the director of the division of professional registration or the director of the department of insurance, financial institutions and professional registration designate one or more financial examiners to assist in any examination or audit.

436.061. 1. Each person including the officers, directors, partners, agents, or employees of such person who shall knowingly and willfully violate or assist or enable any person to violate any provision of sections 436.005 to [436.071, and any officer, director, partner, agent, or employee of such person involved in such violation] **436.072 by misconduct, gross negligence, fraud, misrepresentation, or dishonest** is guilty of a class D felony. Each violation of any provision of sections 436.005 to [436.071] **436.072** constitutes a separate offense and may be prosecuted individually. **The attorney general shall have concurrent jurisdiction with any local prosecutor to prosecute under this section.**

2. Any violation of the provisions of sections 436.005 to [436.071] **436.072** shall constitute a violation of the provisions of section 407.020, RSMo. In any proceeding brought by the attorney general for a violation of the provisions of sections 436.005 to [436.071] **436.072**, the court may **order all relief and penalties authorized under chapter 407, RSMo, and**, in addition to imposing the penalties provided for in sections 436.005 to [436.071] **436.072**, order the revocation or suspension of the [registration] **license** of a defendant seller or provider.

**436.062. 1. The board may refuse to issue any certificate of registration or authority, permit or license required under this chapter for one or any combination of causes stated in subsection 2 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of his or her right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo.**

**2. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by sections 436.005 to 436.072 or any person who has failed to renew or has surrendered his or her certificate of registration or authority, permit or license for any one or any combination of the following causes:**

**(1) Use of any controlled substance, as defined in chapter 195, RSMo, or alcoholic beverage to an extent that such use impairs a person's ability to perform the work of any profession licensed or regulated by sections 436.005 to 436.072;**

**(2) The person has been finally adjudicated and found guilty, or entered a plea of guilty or nolo contendere, in a criminal prosecution under the laws of any state or of the United States, for any offense reasonably related to the qualifications, functions or duties of any profession licensed or regulated under sections 436.005 to 436.072, for any offense involving a controlled substance, or for any offense an essential element of which is fraud, dishonesty or an act of violence, or for any offense involving moral turpitude, whether or not sentence is imposed;**

**(3) Use of fraud, deception, misrepresentation or bribery in securing any certificate of registration or authority, permit or license issued under this chapter or in obtaining permission to take any examination given or required under sections 436.005 to 436.072;**

**(4) Obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation;**

**(5) Incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by sections 436.005 to 436.072;**

**(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted under sections 436.005 to 436.072;**

**(7) Impersonation of any person holding a certificate of registration or authority, permit or license or allowing any person to use his or her certificate of registration or authority, permit, license or diploma from any school;**

(8) Disciplinary action against the holder of a license or other right to practice any profession regulated by sections 436.005 to 436.072 granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state;

(9) A person is finally adjudged insane or incompetent by a court of competent jurisdiction;

(10) Misappropriation of preneed funds or funds belonging to a preneed trust or joint account holding preneed funds, or funds issued by an insurance company pursuant to a preneed contract;

(11) Assisting or enabling any person to practice or offer to practice any profession licensed or regulated by sections 436.005 to 436.072 who is not registered and currently eligible to practice under sections 436.005 to 436.072;

(12) Issuance of a certificate of registration or authority, permit or license based upon a material mistake of fact;

(13) Failure to display a valid certificate or license if so required by sections 436.005 to 436.072 or any rule promulgated hereunder;

(14) Violation of any professional trust or confidence;

(15) Use of any advertisement or solicitation which is false, misleading or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed;

(16) Violation of any statute or regulation related to the funeral industry or to consumer protection;

(17) Having any license, permit, or registration revoked by any insurance or preneed regulatory agency or professional licensing board of any state; and

(18) Willfully and through undue influence selling a preneed contract.

3. After the filing of such complaint, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds, provided in subsection 2 of this section, for disciplinary action are met, the board may, singly or in combination, censure or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed five years, or may suspend, for a period not to exceed three years, or revoke the license, certificate, or permit.

4. Notwithstanding any other provision of this section, the board may automatically suspend a license if the board finds, after an inspection, examination, investigation or audit, a shortage of more than five thousand dollars in any preneed trust or joint account maintained pursuant to this chapter. Failure to provide access to the licensee's books, records or accounts as requested by the board in any inspection, investigation, examination or audit initiated pursuant to this subsection to determine whether suspension is warranted shall constitute grounds for automatic suspension as provided in this section.

5. Any person whose license is suspended under subsection 4 of this section may appeal such suspension to the administrative hearing commission. Notice of such appeal must be received by the administrative hearing commission within ninety days of mailing, by certified mail, the notice of suspension. Failure of a person whose license was suspended to notify the administrative hearing commission of his or her intent to appeal waives all rights to appeal the suspension. Upon notice of such person's intent to appeal, a hearing shall be held before the administrative hearing commission pursuant to chapter 621, RSMo.

6. The board shall only issue a license if the applicant, or if a business entity, each owner, partner, officer, member, or controlling ownership interest of the entity, is a person of good moral character.

436.067. [No information given to the board, the division or the attorney general pursuant to the provisions of sections 436.005 to 436.071 shall, unless ordered by a court for good cause shown, be produced for inspection or copying by, nor shall the contents thereof be disclosed to, any person other than the seller, or the provider who is the subject thereof, the authorized employee of the board, the attorney general or the division, without the consent of the person who produced such material. However, under such reasonable conditions and terms as the board, the division or the attorney general shall prescribe, such material shall be available for inspection and copying by the person who produced such material or any duly authorized representative of such person. The state board, the division or the attorney general, or his duly authorized assistant, may use such documentary material or copies thereof in the enforcement of the provisions of sections 436.005 to 436.071 by presentation before any court or the administrative hearing commission, but any such material which contains trade secrets shall not be presented except with the approval of the court, or the administrative hearing commission, in which the action is pending after adequate notice to the person furnishing such material. No documentary material provided the board, the division or the attorney general pursuant to the provisions of sections 436.005 to 436.071 shall be disclosed to any person for use in any criminal proceeding] **All complaints, investigation materials, annual registrations, reports, and information pertaining to the licensee shall be closed and may be disclosed only as authorized by statute or order of the court.**

**436.068. 1. The board may promulgate rules to implement the provisions of sections 436.005 to 436.072 and rules governing standards of service and practice to be followed by licensed providers and sellers as deemed necessary for the public good and consistent with the laws of this state. The board may prescribe a standard of proficiency as to the qualifications and fitness of those engaging in the practice of the preneed industry.**

**2. The board shall establish the amount of the fees authorized in sections 436.005 to 436.072 and required by rules promulgated thereunder. Such fees shall be set at a level to produce revenue which does not substantially exceed the cost and expense of administering sections 436.005 to 436.072.**

**3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly under chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.**

436.069. 1. [After July 16, 1985,] Each seller shall remit an annual reporting fee in an amount of [two] **ten** dollars for each preneed contract sold in the year since the date the seller filed its last annual report with the state board **of the fee established by the board by rule.** This reporting fee shall be paid annually and may be collected from the purchaser of the preneed contract as an additional charge or remitted to the state board from the [funds] **moneys** of the seller.

2. [After July 16, 1985,] Each provider shall remit an annual reporting fee of [thirty] **fifty** dollars, **or the annual reporting fee established by the board by rule.**

3. The reporting fee authorized by subsections 1 and 2 of this section are in addition to the fees authorized by section 436.071.

436.071. Each application for [registration] **licensure** under the provisions of section 436.015 or 436.021 shall be accompanied by a preneed registration fee as determined by the board pursuant to the provisions of **subsection 2 of** section 333.111[, subsection 2].

**436.072. The board or a designated member thereof or any agent authorized by the board may enter the office, premises, establishment, or place of business of any preneed seller or provider of funeral service contracts licensed in this state, or any office, premises, establishment, or place where the practice of selling and/or providing preneed funerals is carried on, or where such practice is advertised as being carried on for the purpose of inspecting such office, premises, establishment, or place to determine compliance with sections 436.005 to 436.072, or for the purpose of inspecting, examining, investigating or auditing the licensee or the sale of preneed contracts."; and**

Further amend said bill, Page 71, Section 194.233, Line 8 of said page, by inserting after all of said line the following:

"[436.063. Whenever the state board determines that a registered seller or provider has violated or is about to violate any provision of sections 436.005 to 436.071 following a meeting at which the registrant is given a reasonable opportunity to respond to charges of violations or prospective violations, it may request the attorney general to apply for the revocation or suspension of the seller's or provider's registration or the imposition of probation upon terms and conditions deemed appropriate by the state board in accordance with the procedure set forth in sections 621.100 to 621.205, RSMo. Use of the procedures set out in this section shall not preclude the application of the provisions of subsection 2 of section 436.061.]"; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 2*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 2081, Pages 3-4, Section 190.107, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.



*Senate Amendment No. 7*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 2081, Pages 70-71, Section 194.233, by striking all of said section from the bill; and

Further amend the title and enacting clause accordingly.

*Senate Amendment No. 8*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 2081, Page 70, Section 376.811, Line 5 of said page, by inserting after all of said line the following:

"429.015. 1. Every registered architect or corporation registered to practice architecture, every registered professional engineer or corporation registered to practice professional engineering, every registered landscape architect or corporation registered to practice landscape architecture, and every registered land surveyor or corporation registered to practice land surveying, who does any landscape architectural, architectural, engineering or land surveying work upon or performs any landscape architectural, architectural, engineering or land surveying service directly connected with the erection or repair of any building or other improvement upon land under or by virtue of any contract with the owner or lessee thereof, or such owner's or lessee's agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of this chapter, shall have for such person's landscape architectural, architectural, engineering or land surveying work or service so done or performed, a lien upon the building or other improvements and upon the land belonging to the owner or lessee on which the building or improvements are situated, to the extent of [one acre] **three acres**. If the building or other improvement is upon any lot of land in any town, city or village, then the lien shall be upon such building or other improvements, and the lot or land upon which the building or other improvements are situated, to secure the payment for the landscape architectural, architectural, engineering or land surveying work or service so done or performed. For purposes of this section, a corporation engaged in the practice of architecture, engineering, landscape architecture, or land surveying, shall be deemed to be registered if the corporation itself is registered under the laws of this state to practice architecture, engineering, **landscape architecture**, or land surveying.

2. Every mechanic or other person who shall do or perform any work or labor upon or furnish any material or machinery for the digging of a well to obtain water under or by virtue of any contract with the owner or lessee thereof, or such owner's or lessee's agent, trustee, contractor or subcontractor, upon complying with the provisions of sections 429.010 to 429.340 shall have for such person's work or labor done, or materials or machinery furnished, a lien upon the land belonging to such owner or lessee on which the same are situated, to the extent of one acre, to secure the payment of such work or labor done, or materials or machinery furnished as aforesaid.

3. Every mechanic or other person who shall do or perform any work or labor upon, or furnish any material, fixtures, engine, boiler or machinery, for the purpose of demolishing or razing a building or structure under or by virtue of any contract with the owner or lessee thereof, or such owner's or lessee's agent, trustee, contractor or subcontractor, or without a contract if ordered by a city, town, village or county having a charter form of government to abate the conditions that caused a structure on that property to be deemed a dangerous building under local ordinances pursuant to section 67.410, RSMo, upon complying with the provisions of sections 429.010 to 429.340, shall have for such person's work or labor done, or materials, fixtures, engine, boiler or machinery furnished, a lien upon the land belonging to such owner or lessee on which the same are situated, to the extent of one acre. If the building or buildings to be demolished or razed are upon any lot of land in any town, city or village, then the lien shall be upon the lot or lots or land upon which the building or other improvements are situated, to secure the payment for the labor and materials performed.

4. The provisions of sections 429.030 to 429.060 and sections 429.080 to 429.430 applicable to liens of mechanics and other persons shall apply to and govern the procedure with respect to the liens provided for in subsections 1, 2 and 3 of this section.

5. Any design professional or corporation authorized to have lien rights under subsection 1 of this section shall have a lien upon the building or other improvement and upon the land, whether or not actual construction of the planned work or improvement has commenced if:

(1) The owner or lessee thereof, or such owner's or lessee's agent or trustee, contracted for such professional services directly with the design professional or corporation asserting the lien; and

(2) The owner or lessee is the owner or lessee of such real property either at the time the contract is made or at the time the lien is filed.

6. Priority between a design professional or corporation lien claimant and any other mechanic's lien claimant shall be determined pursuant to the provisions of section 429.260 on a pro rata basis.

7. In any civil action, the owner or lessee may assert defenses which include that the actual construction of the planned work or improvement has not been performed in compliance with the professional services contract, is impracticable or is economically infeasible.

8. The agreement is in writing."; and

Further amend the title and enacting clause accordingly.

*Senate Substitute Amendment No. 1  
for  
Senate Amendment No. 9*

AMEND Senate Substitute for Senate Committee Substitute for House Bill No. 2081, Page 8, Section 194.119, Line 1 of said page, by inserting immediately after said line the following:

**"324.1230. As used in sections 324.1230 to 324.1245, the following terms shall mean:**

- (1) "Antepartum", before birth;**
- (2) "Board", the board of professional midwives;**
- (3) "Client", a person who retains the services of a professional midwife;**
- (4) "Division", the division of professional registration;**
- (5) "Intrapartum", during birth;**
- (6) "Postpartum", after birth;**
- (7) "Practice of professional midwifery", the science and art of examination, evaluation, assessment,**

**counseling, and treatment of women and infants by a professional midwife in the antepartum, intrapartum, and postpartum period by those methods commonly taught in any midwifery school, or midwifery program in a university or college which has been accredited by the Midwifery Education Accreditation Council, its successor entity or approved by the board; including identifying and referring women who require obstetrical or other professional care. It shall not include the use of operative surgery, nor the prescribing of drugs. The practice of professional midwifery is not the practice of medicine or osteopathy within the meaning of chapter 334, RSMo, and not subject to the provisions of the chapter. The practice of professional midwifery is not the practice of nurse-midwifery or nursing within the meaning of chapter 335, RSMo, and not subject to the provisions of the chapter;**

**(8) "Professional midwife", any person who is certified by the North American Registry of Midwives (NARM) as a certified professional midwife (CPM) and provides for compensation those skills relevant to the care of women and infants in the antepartum, intrapartum, and postpartum period.**

**324.1231. 1. There is hereby created and established within the division of professional registration a "Board of Professional Midwives" which consists of five members appointed by the governor with the advice and consent of the senate. Each member shall be a United States citizen and a resident of this state for at least one year immediately preceding their appointment. Of these five members, one member shall be a public member, four members shall be licensed professional midwives who attend births in homes or other out-of-hospital settings, provided that the first midwife members appointed need not be licensed at the time of appointment if they are actively working toward licensure under the provisions of sections 324.1230 to 324.1245.**

**2. The initial appointments to the board shall be one member for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years, and one member for a term of five years. After the initial terms, each member shall serve a five-year term. No member of the board shall serve more than two consecutive five-year terms. All successor members shall be appointed for five-year terms. All members shall serve until their successors have been appointed and qualified. Vacancies occurring in the membership of the board for any reason shall be filled by appointment by the governor for the unexpired term.**

**3. The public member shall not be, nor have previously been, a member of any profession regulated by chapter 334 or 335, RSMo, or under sections 324.1230 to 324.1245, or the spouse or immediate family member of such person. The public member is subject to the provisions of section 620.132, RSMo.**

**4. The board may sue and be sued in its own name and its members need not be named parties. Members of the board shall not be personally liable, either jointly or severally, for any act or acts committed in**

the performance of their official duties as board members. No board member shall be personally liable for any court costs which accrue in any action by or against the board.

5. Notwithstanding any other provision of law to the contrary, any appointed member of the board shall receive as compensation an amount established by the director of the division not to exceed seventy dollars per day for board business plus actual and necessary expenses.

6. The division shall employ administrative and clerical personnel necessary to enforce the provisions of sections 324.1230 to 324.1245.

7. The board shall hold an annual meeting at which time it shall elect from its membership a chairperson and a vice chairperson. The board may hold such additional meetings as may be required in the performance of its duties. A quorum of the board shall consist of a majority of its members.

8. Pursuant to section 620.106, RSMo, no new licensing activity or other statutory requirements shall become effective until expenditures or personnel are specifically appropriated for the purpose of conducting the business as required to administer the provisions of sections 324.1230 to 324.1245 and the initial rules filed have become effective.

324.1233. 1. Applications for licensure as a professional midwife shall be in writing, submitted to the board on forms prescribed by the board, and furnished to the applicant. Each application shall contain a statement that it is made under oath or affirmation that the information contained therein is true and correct to the best knowledge and belief of the applicant, subject to the penalties provided for the making of a false affidavit or declaration. Each application shall be accompanied by the fees required by the board.

2. Each applicant for licensure shall:

(1) Present evidence of current certification by the North American Registry of Midwives as a certified professional midwife;

(2) Present evidence of current certification in basic life support for healthcare providers, and either infant cardiopulmonary resuscitation or neonatal resuscitation; and

(3) Comply with the written disclosure requirement under subsection 1 of section 324.1239.

3. The division shall mail a renewal notice to the last known address of each licensee prior to the renewal date. Failure to provide the board with the information required for renewal, or to pay the renewal fee after such notice, shall result in the license expiring. The license shall be reinstated if, within two years of the renewal date, the applicant submits the required documentation and pays the applicable fees as approved by the board.

4. Each license issued pursuant to the provisions of this section shall expire three years after the date of its issuance. Each applicant for renewal shall submit:

(1) Evidence of attendance at a minimum of ten hours per year of continuing education in midwifery or related fields;

(2) Evidence of attendance at a minimum of three hours per year of peer review;

(3) Evidence of current certification in basic life support for healthcare providers, and either infant cardiopulmonary resuscitation or neonatal resuscitation; and

(4) The renewal fee set by the board.

5. The board may refuse to issue or renew any certificate of registration or authority, permit, or license required pursuant to this chapter for one or any combination of causes stated in subsection 6 of this section. The board shall notify the applicant in writing of the reasons for the refusal and shall advise the applicant of the applicant's right to file a complaint with the administrative hearing commission as provided by chapter 621, RSMo. As an alternative to a refusal to issue or renew any certificate, registration, or authority, the board may, at its discretion, issue a license which is subject to probation, restriction, or limitation to an applicant for licensure for any one or any combination of causes stated in subsection 6 of this section. The board's order of probation, limitation, or restriction shall contain a statement of the discipline imposed, the basis therefore, the date such action shall become effective, and a statement that the applicant has thirty days to request in writing a hearing before the administrative hearing commission. If the board issues a probationary, limited, or restricted license to an applicant for licensure, either party may file a written petition with the administrative hearing commission within thirty days of the effective date of the probationary, limited, or restricted license seeking review of the board's determination. If no written request for a hearing is received by the administrative hearing commission within the thirty-day period, the right to seek review of the board's decision shall be considered as waived.

6. The board may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit, or license required by this chapter, or any person who has failed to renew or has surrendered the person's certificate or registration or authority, permit, or license for any one or any combination of the following causes:

- (1) Engaging in conduct detrimental to the health or safety of either the mother or infant, or both, as determined by the board;
- (2) Having an unpaid judgment resulting from providing professional midwifery services;
- (3) Procuring or attempting to procure a license under sections 324.1230 to 324.1245 by making a false statement, submitting false information, refusing to provide complete information in response to a question in an application for licensure, or through any form of fraud or misrepresentation;
- (4) Failing to meet the minimum qualifications for licensure or renewal established under sections 324.1230 to 324.1245;
- (5) Paying money or other valuable consideration, other than as provided for under sections 324.1230 to 324.1245, to any member or employee of the board to procure a license under sections 324.1230 to 324.1245;
- (6) Incompetency, misconduct, negligence, dishonesty, fraud, or misrepresentation in the performance of the functions or duties of professional midwives as prescribed under sections 324.1230 to 324.1245;
- (7) Violating, assisting, or enabling any person to willfully disregard any of the provisions of sections 324.1230 to 324.1245, or the rules of the board for the administration and enforcement of the provisions of sections 324.1230 to 324.1245;
- (8) Violating any term or condition of a license issued by the board under the authority of sections 324.1230 to 324.1245;
- (9) Obtaining or attempting to obtain any fee, charge, tuition, or other compensation by fraud, deception, or misrepresentation;
- (10) Assisting or enabling a person to practice or offer to practice any profession licensed or regulated by sections 324.1230 to 324.1245 who is not licensed and currently eligible to practice under sections 324.1230 to 324.1245; or
- (11) Using any advertisement or solicitation which is false, misleading, or deceptive to the general public or persons to whom the advertisement or solicitation is primarily directed.

7. After the filing of such complaint before the administrative hearing commission, the proceedings shall be conducted in accordance with the provisions of chapter 621, RSMo. Upon a finding by the administrative hearing commission that the grounds provided in subsection 6 of this section for disciplinary action are met, the board may, singly or in combination, warn, censure, or place the person named in the complaint on probation on such terms and conditions as the board deems appropriate for a period not to exceed ten years, or may suspend the person's license, certificate, or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or restrict or limit the person's license, certificate, or permit for an indefinite period of time, or revoke the person's license, certificate, or permit, or administer a public or private reprimand, or deny the person's application for a license, or permanently withhold issuance of a license or require the person to submit to the care, counseling, or treatment of physicians designated by the board at the expense of the individual to be examined, or require the person to attend such continuing educational courses and pass such examinations as the board may direct.

8. The division may promulgate rules as necessary in accordance with the provisions of chapter 536, RSMo, to implement the provisions of this section. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

324.1235. 1. The board shall promulgate rules as necessary in accordance with the provisions of chapter 536, RSMo, to establish:

- (1) An application process and administrative procedures for processing applications and issuing professional midwife licenses and for conducting disciplinary proceedings under the provisions of sections 324.1230 to 324.1245;
- (2) Practice guidelines consistent with standards regarding the practice of midwifery established by the North American Registry of Midwives and the National Association of Certified Professional Midwives, or a successor organization whose essential documents include without limitation subject matter concerning scope of practice, standards of practice, informed consent, appropriate consultation, collaboration or referral, including the development of collaborative relationships with other healthcare practitioners who can provide care outside the scope of midwifery practice when necessary; and

(3) Reasonable rules as deemed necessary by the board to carry out and enforce the provisions of sections 324.1230 to 324.1245.

2. The board shall:

(1) Investigate to verify such applicant's qualifications. If the results of the investigation are satisfactory to the board and the applicant is otherwise qualified, the board shall issue to the applicant a license authorizing the applicant to act as a professional midwife in Missouri;

(2) Set the amount of fees authorized by sections 324.1230 to 324.1245 and required by rules promulgated under section 536.021, RSMo. The fees shall be set at a level to produce revenue that does not substantially exceed the cost and expense of administering sections 324.1230 to 324.1245;

(3) Perform such other functions and duties as necessary to carry out the provisions of sections 324.1230 to 324.1245;

(4) Provide a form for use in the event of transfer to emergency care detailing for the mother:

(a) Name, age, and birth date;

(b) Parity;

(c) Estimated delivery date;

(d) Results of routine blood tests;

(e) Results of any lab tests;

(f) Reason for transfer of care; and

(g) Vital signs;

(5) Provide a form for use in the event of transfer to emergency care detailing for the baby:

(a) Name of the mother and the baby;

(b) Sex of the baby;

(c) Estimated gestational age;

(d) Vital signs;

(e) APGAR scores; and

(f) Reason for transfer of care.

3. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

324.1237. There is hereby established in the treasury a fund to be known as the "Board of Professional Midwives Fund" which shall consist of all gifts, donations, transfers, and moneys appropriated by the general assembly. All funds received by the board pursuant to the provisions of sections 324.1230 to 324.1245 shall be collected by the director of the department who shall transmit the funds to the department of revenue for deposit in the state treasury to the credit of the board of professional midwives fund. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any moneys in the fund shall not be transferred and placed to the credit of the general revenue fund until the amount in the fund at the end of the biennium exceeds three times the amount of the appropriation from the fund for the preceding fiscal year.

324.1239. 1. Every licensed professional midwife shall present a written disclosure statement to each client, which shall be signed by the client and kept with the client's records, and which shall include but not be limited to, the following:

(1) A description of professional midwifery education and related training;

(2) Licensure as a professional midwife, including the effective dates of the licensure;

(3) The benefits and risks associated with childbirth in the setting selected by the client;

(4) A statement concerning the licensed professional midwife's collaborative arrangements with other healthcare professionals, including licensed physicians;

(5) A statement concerning the licensed professional midwife's malpractice or liability insurance coverage; and

(6) A written plan, specific to the client, for obtaining medical care, when necessary, which shall include:

(a) The name and phone number of the hospital or other healthcare facility to which transfer is preferred should emergency care become necessary; and

(b) The plan, protocol, or standing order for fulfilling maternal screening tests and laboratory work required by state statute.

2. Licensed professional midwives shall carry medical malpractice insurance in the amount of at least one million dollars.

324.1240. 1. Nothing in sections 324.1230 to 324.1245 shall be construed to apply to a person who provides information and support in preparation for labor and delivery and assists in the delivery of an infant if that person does not do the following:

- (1) Advertise as a midwife or as a provider of midwife services;
- (2) Accept compensation for midwife services; and
- (3) Use any words, letters, signs, or figures to indicate that the person is a midwife.

2. Nothing in sections 324.1230 to 324.1245 shall be construed to prohibit the attendance at birth of the mother's choice of family, friends, or other uncompensated labor support attendants.

324.1241. 1. Any hospital, physician, nurse, emergency services personnel, or any other licensed health care professional who renders emergency care, treatment, or assistance to any person or persons, when the need of such care, treatment, or assistance arises from care provided by a licensed professional midwife, shall not be held liable for any civil damages except for acts of negligence or those occasioned by willful and wanton acts by such person in rendering such emergency care, treatment, or assistance.

2. A licensed health care provider or facility shall not be disciplined for assisting, enabling, aiding, procuring, advising, or encouraging any person licensed to practice professional midwifery who is practicing within the confines of sections 324.1230 to 324.1245.

324.1242. 1. When a birth or stillbirth occurs without a physician in attendance at or immediately after the birth or stillbirth, but with a licensed professional midwife in attendance at or immediately after the birth, it shall be the responsibility of the licensed professional midwife to prepare and file the certificate of birth as required by section 193.085, RSMo, and the reports required under section 193.165, RSMo, and section 210.050, RSMo.

2. Licensed professional midwives shall follow the newborn screening requirements for health care providers with respect to infants born in this state as described under subsections 1, 2, and 5 of section 191.331, RSMo.

3. Licensed professional midwives shall be required to retain patient records for a period of six years and keep such records confidential consistent with the provisions of the federal Health Insurance Portability and Accountability Act, as amended.

324.1243. No licensed professional midwife shall be permitted to:

- (1) Prescribe drugs;
- (2) Perform medical inductions or cesarean sections during the delivery of an infant;
- (3) Use forceps during the delivery of an infant;
- (4) Perform vacuum delivery of an infant;
- (5) Perform an abortion as defined in chapter 188, RSMo; or
- (6) Administer prescription drugs, with exceptions limited to:
  - (a) Neonatal use of prophylactic ophthalmic medications as required in section 210.070, RSMo, vitamin K, and oxygen; and
  - (b) Maternal use of Rho (D) immune globulin, oxygen, local anesthetic, and oxytocin and methylergonovine maleate as postpartum antihemorrhagics.

324.1244. 1. Notwithstanding any other provision of law, a licensed professional midwife providing a service of professional midwifery shall not be deemed to be engaged in the practice of medicine, nursing, nurse-midwifery, or any other medical or healing practice.

2. The provisions of sections 324.1230 to 324.1245 shall be remedial and curative in nature.

324.1245. Any person who violates the provisions of sections 324.1230 to 324.1245, or any rule or order promulgated under authority granted by sections 324.1230 to 324.1245 is guilty of a class A misdemeanor."; and

Further amend said bill, Page 9, Section 333.011, Line 6 of said page, by inserting immediately after said line the following:

"334.010. 1. It shall be unlawful for any person not now a registered physician within the meaning of the law to practice medicine or surgery in any of its departments, to engage in the practice of medicine across state lines or to profess to cure and attempt to treat the sick and others afflicted with bodily or mental infirmities, [or engage in the practice of midwifery] in this state, except as herein provided. **The practice of professional midwifery is not the practice of medicine or osteopathy within the meaning of chapter 334, RSMo, and not subject to the provisions of the chapter.**

2. For the purposes of this chapter, the "practice of medicine across state lines" shall mean:

(1) The rendering of a written or otherwise documented medical opinion concerning the diagnosis or treatment of a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent; or

(2) The rendering of treatment to a patient within this state by a physician located outside this state as a result of transmission of individual patient data by electronic or other means from within this state to such physician or physician's agent.

3. A physician located outside of this state shall not be required to obtain a license when:

(1) In consultation with a physician licensed to practice medicine in this state; and

(2) The physician licensed in this state retains ultimate authority and responsibility for the diagnosis or diagnoses and treatment in the care of the patient located within this state; or

(3) Evaluating a patient or rendering an oral, written or otherwise documented medical opinion, or when providing testimony or records for the purpose of any civil or criminal action before any judicial or administrative proceeding of this state or other forum in this state; or

(4) Participating in a utilization review pursuant to section 376.1350, RSMo.

334.120. 1. There is hereby created and established a board to be known as "The State Board of Registration for the Healing Arts" for the purpose of registering, licensing and supervising all physicians and surgeons[, and midwives] in this state. **The purpose of the board shall not include registering, licensing, or supervising of professional midwives.** The board shall consist of nine members, including one voting public member, to be appointed by the governor by and with the advice and consent of the senate, at least five of whom shall be graduates of professional schools accredited by the Liaison Committee on Medical Education or recognized by the Educational Commission for Foreign Medical Graduates, and at least two of whom shall be graduates of professional schools approved and accredited as reputable by the American Osteopathic Association, and all of whom, except the public member, shall be duly licensed and registered as physicians and surgeons pursuant to the laws of this state. Each member must be a citizen of the United States and must have been a resident of this state for a period of at least one year next preceding his or her appointment and shall have been actively engaged in the lawful and ethical practice of the profession of physician and surgeon for at least five years next preceding his or her appointment. Not more than four members shall be affiliated with the same political party. All members shall be appointed for a term of four years. Each member of the board shall receive as compensation an amount set by the board not to exceed fifty dollars for each day devoted to the affairs of the board, and shall be entitled to reimbursement of his or her expenses necessarily incurred in the discharge of his or her official duties. The president of the Missouri State Medical Association, for all medical physician appointments, or the president of the Missouri Association of Osteopathic Physicians and Surgeons, for all osteopathic physician appointments, in office at the time shall, at least ninety days prior to the expiration of the term of the respective board member, other than the public member, or as soon as feasible after the appropriate vacancy on the board otherwise occurs, submit to the director of the division of professional registration a list of five physicians and surgeons qualified and willing to fill the vacancy in question, with the request and recommendation that the governor appoint one of the five persons so listed, and with the list so submitted, the president of the Missouri State Medical Association or the Missouri Association of Osteopathic Physicians and Surgeons, as appropriate, shall include in his or her letter of transmittal a description of the method by which the names were chosen by that association.

2. The public member shall be at the time of his or her appointment a citizen of the United States; a resident of this state for a period of one year and a registered voter; a person who is not and never was a member of any profession licensed or regulated pursuant to this chapter or the spouse of such person; and a person who does not have and never has had a material, financial interest in either the providing of the professional services regulated by this chapter, or an activity or organization directly related to any profession licensed or regulated pursuant to this chapter. All members, including public members, shall be chosen from lists submitted by the director of the division of professional registration. The duties of the public member shall not include the determination of the technical

requirements to be met for licensure or whether any person meets such technical requirements or of the technical competence or technical judgment of a licensee or a candidate for licensure."; and

Further amend said bill, Page 70, Section 376.811, Line 5 of said page, by inserting immediately after said line the following:

"383.010. 1. Notwithstanding any direct or implied prohibitions in chapter 375, 377, or 379, RSMo, any three or more persons, residents of this state, being licensed under the provisions of chapter 330, 331, 332, 334, 335, 336, 338 or 339, RSMo, or under rule 8 of the supreme court of Missouri, **or professional midwives licensed under sections 324.1230 to 324.1245, RSMo**, or architects licensed pursuant to chapter 327, RSMo, may, as provided in sections 383.010 to 383.040, form a business entity for the purpose of providing malpractice insurance or indemnification for such persons upon the assessment plan, and upon compliance with section 379.260, RSMo, liability and automobile insurance as defined in subdivisions (1) and (3) of section 379.230, RSMo, may be provided upon the assessment plan to those persons licensed pursuant to chapter 197, RSMo, and for whom medical malpractice insurance is provided under this section, except that automobile insurance shall be provided only for ambulances as defined in section 190.100, RSMo. Any entity licensed under chapter 197, RSMo, professional corporations, and limited liability companies, corporations, limited liability partnerships, partnerships, and other similar entities formed for the practice of law or medicine may also become members of any such entity. The term "persons" as used in sections 383.010 to 383.040 includes such hospitals, professional corporations and real estate business entities.

2. Anything in this section to the contrary notwithstanding, any persons duly licensed under the provisions of the laws of any other state who, if licensed under any similar provisions of the laws of this state, would be eligible to become members and insureds of an entity created under the authority of this section may become members and insureds of such an entity, irrespective of whether such persons are residents of this state; provided, however, that any such persons must be employed by, or be a partner, shareholder or member of, a professional corporation, corporation, copartnership or association insured by or to be insured by such an entity.

3. Notwithstanding any provision of law which might be construed to the contrary, sections 379.882 and 379.888, RSMo, defining commercial casualty insurance, shall not include professional malpractice insurance policies issued by any insurer in this state."; and

Further amend said bill, Page 71, Section 194.233, Line 8, by inserting immediately after said line the following:

"[334.260. On August 29, 1959, all persons licensed under the provisions of chapter 334, RSMo 1949, as midwives shall be deemed to be licensed as midwives under this chapter and subject to all the provisions of this chapter.]

[376.1753. Notwithstanding any law to the contrary, any person who holds current ministerial or tocological certification by an organization accredited by the National Organization for Competency Assurance (NOCA) may provide services as defined in 42 U.S.C. 1396 r-6(b)(4)(E)(ii)(I).]

Section B. Because of the need to provide clarity on the issue of the practice of midwifery, the enactment of sections 324.1230, 324.1231, 324.1233, 324.1235, 324.1237, 324.1239, 324.1240, 324.1241, 324.1242, 324.1243, 324.1244, and 324. 1245, and the repeal and reenactment of sections 334.010, 334.120, 334.260, and 376.1753 of this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and is hereby declared to be an emergency act within the meaning of the constitution, and enactment of sections 324.1230, 324.1231, 324.1233, 324.1235, 324.1237, 324.1239, 324.1240, 324.1241, 324.1242, 324.1243, 324.1244, and 324. 1245, and the repeal and reenactment of sections 334.010, 334.120, 334.260, and 376.1753 of this act shall be in full force and effect upon its passage and approval."; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.



Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate refuses to adopt the conference committee report on **HCS SB 1288, as amended**, and requests the House recede on **HCS, as amended**, and take up and pass **SB 1288**.

### THIRD READING OF SENATE BILL

**SB 1038**, relating to campaign finance, was taken up by Representative Cox.

Representative Holsman offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND Senate Bill No. 1038, Page 4, Section 130.016, Line 98, by inserting after said line the following:

**"9. No candidate for any elected office shall engage in any campaign fund raising activity while in the state capitol building or on its grounds, in the governor's mansion, or inside any courthouse"; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Speaker Jetton resumed the Chair.

Representative Jones (89) raised a point of order that **House Amendment No. 1** is dilatory.

The Chair ruled the point of order not well taken.

Representative Muschany offered **House Amendment No. 1 to House Amendment No. 1**.

#### *House Amendment No. 1*

*to*

#### *House Amendment No. 1*

AMEND House Amendment No. 1 to Senate Bill No. 1038, Page 1, Line 5, by inserting after the word,

**"courthouse"** the following:

**". The attorney general cannot campaign for any office or raise funds for campaign purposes while holding office as attorney general."; and**

Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Representative Zimmerman raised a point of order that **House Amendment No. 1 to House Amendment No. 1** is unconstitutional.

The Chair ruled the point of order not well taken.

Representative Tilley moved the previous question.

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Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hoskins	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Kraus
Lembke	Loehner	May	McGhee	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pratt
Quinn 7	Richard	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Yates	Mr Speaker

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Daus	Donnelly	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Meadows	Meiners
Nasheed	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talbot	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 011

Cooper 120	Darrough	Dusenberg	Hunter	Johnson
Lipke	Marsh	McClanahan	Pollock	Portwood
Spreng				

VACANCIES: 002

On motion of Representative Muschany, **House Amendment No. 1 to House Amendment No. 1** was adopted by the following vote:

AYES: 110

Avery	Baker 25	Bivins	Bland	Brandom
Bringer	Bruns	Burnett	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Davis	Day	Deeken	Denison	Dethrow
Dixon	Donnelly	Dougherty	El-Amin	Emery
Faith	Fallert	Fares	Fisher	Franz
Funderburk	George	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Hubbard	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kuessner	Lembke	LeVota	Liese
Loehner	May	McGhee	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nieves
Onder	Page	Parkinson	Parson	Pearce
Pollock	Pratt	Quinn 7	Quinn 9	Robb
Rucker	Ruestman	Ruzicka	Sander	Scavuzzo
Schaaf	Schad	Sarnhorst	Schlottach	Schneider
Schoeller	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Swinger	Talboy	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Walton	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Yaeger	Zweifel	Mr Speaker

NOES: 039

Aull	Baker 123	Brown 30	Casey	Chappelle-Nadal
Darrough	Daus	Dusenberg	Ervin	Flook
Frame	Grill	Hodges	Holsman	Hughes
Kratky	Kraus	Lampe	Lipke	Low 39
Lowe 44	Nasheed	Norr	Oxford	Robinson
Roorda	Salva	Schieffer	Schoemehl	Storch
Todd	Villa	Vogt	Walsh	Wasson
Wright-Jones	Yates	Young	Zimmerman	

PRESENT: 001

Richard

ABSENT WITH LEAVE: 011

Brown 50	Hoskins	Hunter	Johnson	Marsh
McClanahan	Nolte	Portwood	Sater	Self
Spreng				

VACANCIES: 002

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 086

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Denison
Dethrow	Dixon	Dusenberg	Emery	Ervin
Faith	Fares	Fisher	Flook	Franz
Funderburk	Grisamore	Guest	Hobbs	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	May
McGhee	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schad	Scharnhorst	Schlottach	Schneider	Schoeller
Self	Silvey	Smith 14	Smith 150	Stevenson
St. Onge	Stream	Sutherland	Thomson	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Wright 159	Yates
Mr Speaker				

NOES: 065

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	El-Amin	Fallert
Frame	George	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	Meadows
Meiners	Norr	Oxford	Page	Quinn 9
Robinson	Roorda	Rucker	Salva	Scavuzzo
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Walton	Whorton	Wildberger	Witte
Wright-Jones	Yaeger	Young	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 010

Dougherty	Hunter	Johnson	Marsh	McClanahan
Nasheed	Portwood	Schaaf	Spreng	Threlkeld

VACANCIES: 002

Representative Holsman moved that **House Amendment No. 1, as amended**, be adopted.

Which motion was defeated by the following vote:

AYES: 074

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	Dusenberg	Ervin	Fallert	Flook
Frame	George	Grill	Grisamore	Harris 23
Harris 110	Haywood	Hodges	Holsman	Hughes
Komo	Kratky	Kraus	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schneider	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Wildberger	Witte	Wright-Jones	Yaeger
Yates	Young	Zimmerman	Zweifel	

NOES: 079

Avery	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
Emery	Faith	Fares	Fisher	Franz
Funderburk	Guest	Hobbs	Hoskins	Hunter
Icet	Jones 89	Jones 117	Kasten	Kelly
Kingery	Lembke	Lipke	Loehner	May
Moore	Munzlinger	Muschany	Nance	Nieves
Onder	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Tilley	Viebrock
Wallace	Wasson	Wells	Weter	Wilson 119
Wilson 130	Wood	Wright 159	Mr Speaker	

PRESENT: 000

ABSENT WITH LEAVE: 008

El-Amin	Hubbard	Johnson	Marsh	McGhee
Nolte	Portwood	Spreng		

VACANCIES: 002

Representative Tilley moved the previous question.

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Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Denison	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Franz	Funderburk
Grisamore	Guest	Hobbs	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	McGhee	Moore	Munzlinger	Muschany
Nance	Nieves	Nolte	Onder	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Richard	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Wallace	Wasson
Wells	Weter	Wilson 119	Wilson 130	Wood
Wright 159	Yates			

NOES: 064

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	El-Amin
Fallert	Frame	Grill	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hoskins	Hubbard
Hughes	Komo	Kratky	Kuessner	Lampe
LeVota	Liese	Low 39	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Page
Quinn 9	Robinson	Roorda	Rucker	Salva
Scavuzzo	Schieffer	Schoemehl	Shively	Skaggs
Storch	Swinger	Talboy	Todd	Villa
Walsh	Walton	Whorton	Wildberger	Witte
Yaeger	Young	Zimmerman	Zweifel	

PRESENT: 000

ABSENT WITH LEAVE: 010

Cooper 120	George	Johnson	Oxford	Portwood
Spreng	Viebrock	Vogt	Wright-Jones	Mr Speaker

VACANCIES: 002

On motion of Representative Cox, **SB 1038** was truly agreed to and finally passed by the following vote:

AYES: 083

Avery	Bivins	Brandom	Bruns	Cooper 120
Cooper 155	Cox	Cunningham 145	Cunningham 86	Davis
Day	Deeken	Denison	Dethrow	Dixon
El-Amin	Emery	Faith	Fares	Fisher
Flook	Franz	Funderburk	Guest	Hobbs
Hoskins	Hubbard	Hunter	Jones 89	Jones 117
Kasten	Kelly	Kingery	Lembke	Lipke
Loehner	May	McGhee	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Onder
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Robb	Ruestman	Ruzicka	Sander
Sater	Schaaf	Schad	Scharnhorst	Schlottach
Schneider	Schoeller	Self	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Stream	Sutherland
Thomson	Threlkeld	Tilley	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Mr Speaker		

NOES: 072

Aull	Baker 25	Baker 123	Bland	Bringer
Brown 30	Brown 50	Burnett	Casey	Chappelle-Nadal
Corcoran	Curls	Darrough	Daus	Donnelly
Dougherty	Dusenberg	Ervin	Fallert	Frame
George	Grill	Grisamore	Harris 23	Harris 110
Haywood	Hodges	Holsman	Hughes	Komo
Kratky	Kraus	Kuessner	Lampe	LeVota
Liese	Low 39	Lowe 44	Marsh	McClanahan
Meadows	Meiners	Nolte	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Salva	Scavuzzo	Schieffer	Schoemehl	Shively
Skaggs	Storch	Swinger	Talboy	Todd
Villa	Walsh	Walton	Whorton	Wildberger
Witte	Wright-Jones	Yaeger	Yates	Young
Zimmerman	Zweifel			

PRESENT: 002

Icet	Richard
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ABSENT WITH LEAVE: 004

Johnson	Portwood	Spreng	Vogt
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VACANCIES: 002

Speaker Jetton declared the bill passed.

**THIRD READING OF SENATE BILL - CONSENT**

**SCS SB 850**, relating to the Board of Optometry, was taken up by Representative Meiners.

Representative Hunter assumed the Chair.

On motion of Representative Meiners, **SCS SB 850** was truly agreed to and finally passed by the following vote:

AYES: 145

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Darrough
Daus	Davis	Day	Deeken	Denison
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
El-Amin	Emery	Ervin	Faith	Fallert
Fares	Fisher	Flook	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Haywood	Hobbs	Holsman	Hoskins
Hubbard	Hughes	Hunter	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Kuessner	Lampe	Lembke
LeVota	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	McGhee	Meadows
Meiners	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sander	Sater	Scavuzzo	Schaaf	Schad
Schamhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Talboy	Thomson	Threlkeld	Tilley
Todd	Villa	Wallace	Walsh	Walton
Wasson	Wells	Whorton	Wildberger	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Young	Zimmerman	Mr Speaker

NOES: 001

Skaggs

PRESENT: 001

Swinger

ABSENT WITH LEAVE: 014

Burnett	Cooper 120	Frame	Hodges	Johnson
Low 39	Nasheed	Portwood	Salva	Spreng
Viebrock	Vogt	Weter	Zweifel	

VACANCIES: 002



Representative Hunter declared the bill passed.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SB 1068 with House Amendment No. 1 and House Amendment No. 3**, and has taken up and passed **CCS SB 1068**.

### PERFECTION OF HOUSE BILL

**HCS HB 1880**, relating to health insurance contracts, was taken up by Representative Schaaf.

Representative Schaaf offered **House Amendment No. 1**.

#### *House Amendment No. 1*

AMEND House Committee Substitute for House Bill No. 1880, Page 1, In the Title, Line 2, by deleting the phrase "one new section" and inserting in lieu thereof the phrase "two new sections"; and

Further amend said bill, Page 1, Section A, Lines 1 and 2, by deleting all of said lines and inserting in lieu thereof the following:

"Section A. Chapter 376, RSMo, is amended by adding thereto two new sections, to be known as sections 376.393 and 376.444, to read as follows:

**376.393. 1. As used in this section, the following terms shall mean:**

(1) "Health carrier", the same meaning as such term is defined in section 376.1350;

(2) "Provider", the same meaning as such term is defined in section 376.1350, and in addition, licensed pharmacies and home health agencies.

**2. No health carrier, or any of its subsidiaries, networks, contractors, or subcontractors, shall discriminate against any Missouri provider who is located within the geographic coverage area of a health benefit plan and who is willing to meet the terms and conditions for provider participation established for such health benefit plan, including the MO HealthNet and Medicare programs.";** and

Further amend said title, enacting clause and intersectional references accordingly.

Representative Self moved the previous question.

Which motion was adopted by the following vote:

AYES: 087

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 120	Cooper 155	Cox	Cunningham 145
Cunningham 86	Davis	Day	Deeken	Dethrow
Dixon	Dusenberg	Emery	Ervin	Faith
Fares	Fisher	Flook	Funderburk	Grisamore
Guest	Hobbs	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Kraus	Lembke	Lipke	Loehner	Marsh
May	Moore	Munzlinger	Muschany	Nance
Nieves	Nolte	Onder	Parkinson	Parson

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Pearce	Pollock	Pratt	Quinn 7	Richard
Robb	Ruestman	Ruzicka	Sander	Sater
Schaaf	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Self	Silvey	Smith 14	Smith 150
Stevenson	St. Onge	Stream	Sutherland	Thomson
Threlkeld	Tilley	Viebrock	Wallace	Wasson
Wildberger	Wilson 119	Wilson 130	Wood	Wright 159
Yates	Mr Speaker			

NOES: 056

Aull	Bland	Bringer	Brown 50	Burnett
Casey	Chappelle-Nadal	Corcoran	Curls	Darrough
Daus	Dougherty	Fallert	Frame	George
Grill	Harris 23	Harris 110	Hodges	Holsman
Hoskins	Hughes	Komo	Kratky	Kuessner
Lampe	LeVota	Liese	Lowe 44	McClanahan
Meadows	Meiners	Nasheed	Norr	Oxford
Page	Quinn 9	Robinson	Roorda	Rucker
Schieffer	Schoemehl	Shively	Skaggs	Storch
Swinger	Talboy	Todd	Villa	Vogt
Walsh	Whorton	Witte	Yaeger	Zimmerman
Zweifel				

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 25	Denison	Donnelly	El-Amin	Franz
Haywood	Johnson	Low 39	McGhee	Portwood
Salva	Scavuzzo	Spreng	Walton	Wells
Weter	Wright-Jones	Young		

VACANCIES: 002

On motion of Representative Schaaf, **House Amendment No. 1** was adopted by the following vote:

AYES: 118

Aull	Avery	Bivins	Bland	Brandom
Bringer	Bruns	Casey	Chappelle-Nadal	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Daus
Davis	Day	Deeken	Dixon	Dougherty
El-Amin	Faith	Fallert	Fares	Fisher
Frame	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hoskins	Hubbard
Hughes	Hunter	Ice	Jones 89	Kasten
Kingery	Komo	Kratky	Kraus	Kuessner
Lembke	Liese	Lipke	Loehner	Lowe 44
Marsh	May	McClanahan	Meadows	Meiners
Moore	Munzlinger	Muschany	Nasheed	Nieves
Nolte	Norr	Onder	Oxford	Page
Parkinson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Schaaf
Scharnhorst	Schlottach	Schneider	Schoeller	Schoemehl

Self	Shively	Silvey	Skaggs	Smith 150
St. Onge	Storch	Stream	Swinger	Thomson
Threlkeld	Tilley	Todd	Viebrock	Villa
Vogt	Wallace	Walsh	Walton	Wasson
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 025

Baker 123	Brown 30	Brown 50	Burnett	Cooper 120
Curls	Darrough	Dethrow	Emery	Ervin
Hodges	Holsman	Jones 117	Kelly	LeVota
Nance	Parson	Sater	Scavuzzo	Schad
Schieffer	Smith 14	Stevenson	Sutherland	Talboy

PRESENT: 000

ABSENT WITH LEAVE: 018

Baker 25	Denison	Donnelly	Dusenberg	Flook
Franz	Haywood	Hobbs	Johnson	Lampe
Low 39	McGhee	Portwood	Salva	Spreng
Wells	Weter	Young		

VACANCIES: 002

**HCS HB 1880, as amended**, was laid over.

Speaker Jetton resumed the Chair.

Representative St. Onge assumed the Chair.

### **BILL IN CONFERENCE**

**CCR SB 1068, with House Amendment No. 1 and House Amendment No. 3**, relating to the Pharmacy Rebates Fund, was taken up by Representative Sater.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 085

Avery	Baker 123	Bivins	Brandom	Brown 30
Bruns	Cooper 155	Cox	Cunningham 145	Cunningham 86
Davis	Day	Dethrow	Dixon	Dusenberg
Emery	Ervin	Faith	Fares	Fisher
Flook	Franz	Funderburk	Grisamore	Guest
Hobbs	Hunter	Ice	Jones 89	Jones 117
Kasten	Kelly	Kingery	Kraus	Lipke
Loehner	Marsh	May	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock

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Pratt	Quinn 7	Richard	Robb	Ruestman
Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schlottach	Schneider	Schoeller	Self
Silvey	Smith 14	Smith 150	Stevenson	St. Onge
Stream	Sutherland	Thomson	Threlkeld	Tilley
Viebrock	Wallace	Wasson	Wells	Weter
Wilson 119	Wilson 130	Wood	Yates	Mr Speaker

NOES: 055

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Dougherty	El-Amin	Fallert
Frame	George	Grill	Harris 110	Hodges
Hoskins	Hubbard	Hughes	Komo	Kratky
Kuessner	Lampe	LeVota	Liese	McClanahan
Meadows	Meiners	Norr	Page	Quinn 9
Robinson	Roorda	Rucker	Scavuzzo	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 021

Cooper 120	Deeken	Denison	Donnelly	Harris 23
Haywood	Holsman	Johnson	Lembke	Low 39
Lowe 44	McGhee	Oxford	Portwood	Salva
Schieffer	Spreng	Wildberger	Wright 159	Wright-Jones
Young				

VACANCIES: 002

On motion of Representative Sater, **CCR SB 1068, with House Amendment No. 1 and House Amendment No. 3**, was adopted by the following vote:

AYES: 134

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 86	Curls	Darrough	Daus
Davis	Day	Deeken	Dixon	Dougherty
Dusenberg	El-Amin	Emery	Ervin	Faith
Fallert	Fares	Fisher	Flook	Frame
Franz	Funderburk	George	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Ice	Jones 89
Jones 117	Kasten	Kelly	Kingery	Komo
Kratky	Kraus	Lampe	Lembke	Liese
Lipke	Loehner	Marsh	May	McClanahan
Meadows	Meiners	Moore	Munzlinger	Muschany
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pearce	Pollock	Pratt	Quinn 7	Quinn 9
Richard	Robb	Robinson	Roorda	Rucker

Ruzicka	Sander	Sater	Schaaf	Schad
Scharnhorst	Schieffer	Schlottach	Schneider	Schoeller
Schoemehl	Self	Shively	Silvey	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Todd
Viebrock	Villa	Vogt	Wallace	Walsh
Walton	Wells	Weter	Whorton	Wilson 119
Wilson 130	Witte	Wood	Wright 159	Wright-Jones
Yaeger	Yates	Zimmerman	Zweifel	

NOES: 005

Bringer	Hughes	Kuessner	LeVota	Skaggs
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PRESENT: 000

ABSENT WITH LEAVE: 022

Cooper 120	Cunningham 145	Denison	Dethrow	Donnelly
Haywood	Hunter	Johnson	Low 39	Lowe 44
McGhee	Portwood	Ruestman	Salva	Scavuzzo
Spreng	Talboy	Tilley	Wasson	Wildberger
Young	Mr Speaker			

VACANCIES: 002

Speaker Jetton resumed the Chair.

On motion of Representative Sater, **CCS SB 1068** was truly agreed to and finally passed by the following vote:

AYES: 133

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Brown 30	Brown 50	Bruns
Burnett	Casey	Chappelle-Nadal	Cooper 155	Corcoran
Cox	Cunningham 145	Curls	Daus	Davis
Day	Deeken	Dethrow	Dixon	Dougherty
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Guest	Harris 23	Harris 110
Hobbs	Hodges	Hoskins	Hubbard	Hunter
Ice	Jones 89	Jones 117	Kasten	Kelly
Kingery	Komo	Kratky	Kraus	Lembke
Liese	Lipke	Loehner	Marsh	May
McClanahan	Meadows	Meiners	Moore	Munzlinger
Muschany	Nance	Nasheed	Nieves	Nolte
Norr	Onder	Oxford	Page	Parkinson
Parson	Pearce	Pollock	Pratt	Quinn 7
Quinn 9	Richard	Robb	Robinson	Roorda
Rucker	Ruestman	Ruzicka	Sander	Sater
Scavuzzo	Schad	Scharnhorst	Schlottach	Schneider
Schoeller	Schoemehl	Self	Shively	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Swinger	Talboy	Thomson	Threlkeld
Tilley	Todd	Viebrock	Villa	Vogt

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Wallace	Walsh	Walton	Wasson	Wells
Weter	Whorton	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Zimmerman	Zweifel	Mr Speaker		

NOES: 007

Bringer	Donnelly	Hughes	Kuessner	LeVota
Skaggs	Storch			

PRESENT: 000

ABSENT WITH LEAVE: 021

Cooper 120	Cunningham 86	Darrough	Denison	Dusenberg
El-Amin	Grisamore	Haywood	Holsman	Johnson
Lampe	Low 39	Lowe 44	McGhee	Portwood
Salva	Schaaf	Schieffer	Spreng	Wildberger
Young				

VACANCIES: 002

Speaker Jetton declared the bill passed.

Representative Darrough assumed the Chair.

### **THIRD READING OF SENATE BILL**

**SS SCS SBs 714, 933, 899 & 758**, relating to sexual offenses, was taken up by Representative Brunns.

Representative Tilley moved the previous question.

Which motion was adopted by the following vote:

AYES: 084

Avery	Baker 123	Bivins	Brandom	Brown 30
Brunns	Cooper 120	Cooper 155	Cunningham 145	Cunningham 86
Davis	Day	Deeken	Dethrow	Dixon
Dusenberg	Emery	Ervin	Faith	Fares
Fisher	Flook	Franz	Funderburk	Grisamore
Guest	Hobbs	Hunter	Ice	Jones 89
Jones 117	Kasten	Kingery	Kraus	Lembke
Lipke	Loehner	Marsh	May	Moore
Munzlinger	Muschany	Nance	Nieves	Nolte
Onder	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Robb	Ruestman	Ruzicka
Sander	Sater	Schaaf	Schad	Scharnhorst
Schlottach	Schneider	Schoeller	Self	Silvey
Smith 14	Smith 150	Stevenson	St. Onge	Stream
Sutherland	Thomson	Threlkeld	Viebrock	Wallace
Wasson	Wells	Weter	Wilson 119	Wilson 130
Wood	Wright 159	Yates	Mr Speaker	

NOES: 060

Aull	Baker 25	Bland	Bringer	Brown 50
Burnett	Casey	Chappelle-Nadal	Corcoran	Curls
Darrough	Daus	Donnelly	Dougherty	Fallert
Frame	George	Grill	Harris 23	Harris 110
Hodges	Holsman	Hoskins	Hubbard	Hughes
Komo	Kratky	Kuessner	Lampe	LeVota
Liese	McClanahan	Meadows	Meiners	Nasheed
Norr	Oxford	Page	Quinn 9	Robinson
Roorda	Rucker	Scavuzzo	Schieffer	Schoemehl
Shively	Skaggs	Storch	Swinger	Talboy
Todd	Villa	Vogt	Walsh	Walton
Whorton	Witte	Yaeger	Zimmerman	Zweifel

PRESENT: 000

ABSENT WITH LEAVE: 017

Cox	Denison	El-Amin	Haywood	Johnson
Kelly	Low 39	Lowe 44	McGhee	Portwood
Richard	Salva	Sprenge	Tilley	Wildberger
Wright-Jones	Young			

VACANCIES: 002

On motion of Representative Bruns, **SS SCS SBs 714, 933, 899 & 758** was truly agreed to and finally passed by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Davis	Day	Deeken	Dethrow
Dixon	Donnelly	Dougherty	Emery	Ervin
Faith	Fallert	Fares	Fisher	Flook
Frame	Franz	Funderburk	Grill	Grisamore
Guest	Harris 23	Harris 110	Hobbs	Hodges
Holsman	Hoskins	Hubbard	Hunter	Icet
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Marsh	May	McClanahan	Meadows	Meiners
Moore	Munzlinger	Muschany	Nance	Nasheed
Nieves	Nolte	Norr	Onder	Page
Parkinson	Parson	Pearce	Pollock	Pratt
Quinn 7	Quinn 9	Richard	Robb	Robinson
Roorda	Rucker	Ruestman	Ruzicka	Sander
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wells	Weter	Whorton

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Wilson 119	Wilson 130	Witte	Wood	Wright 159
Wright-Jones	Yaeger	Yates	Zimmerman	Zweifel
Mr Speaker				

NOES: 005

Burnett	Daus	George	Hughes	Talboy
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PRESENT: 001

Oxford

ABSENT WITH LEAVE: 014

Denison	Dusenberg	El-Amin	Haywood	Johnson
Low 39	Lowe 44	McGhee	Portwood	Salva
Spreng	Wasson	Wildberger	Young	

VACANCIES: 002

Representative Darrough declared the bill passed.

The emergency clause was adopted by the following vote:

AYES: 141

Aull	Avery	Baker 25	Baker 123	Bivins
Bland	Brandom	Bringer	Brown 30	Brown 50
Bruns	Casey	Chappelle-Nadal	Cooper 120	Cooper 155
Corcoran	Cox	Cunningham 145	Cunningham 86	Curls
Darrough	Daus	Davis	Day	Deeken
Dethrow	Dixon	Donnelly	Dougherty	Dusenberg
Emery	Ervin	Faith	Fallert	Fares
Fisher	Flook	Frame	Franz	Funderburk
George	Grill	Grisamore	Guest	Harris 23
Harris 110	Hobbs	Hodges	Holsman	Hoskins
Hubbard	Hunter	Ice	Jones 89	Jones 117
Kelly	Kingery	Komo	Kratky	Kraus
Kuessner	Lampe	Lembke	LeVota	Liese
Lipke	Loehner	Marsh	May	McClanahan
Meadows	Meiners	Moore	Munzlinger	Nance
Nasheed	Nolte	Norr	Onder	Oxford
Page	Parkinson	Parson	Pearce	Pollock
Pratt	Quinn 7	Quinn 9	Richard	Robb
Robinson	Roorda	Rucker	Ruestman	Ruzicka
Sater	Scavuzzo	Schaaf	Schad	Scharnhorst
Schieffer	Schlottach	Schneider	Schoeller	Schoemehl
Self	Shively	Silvey	Skaggs	Smith 14
Smith 150	Stevenson	St. Onge	Storch	Stream
Sutherland	Swinger	Thomson	Threlkeld	Tilley
Todd	Viebrock	Villa	Vogt	Wallace
Walsh	Walton	Wasson	Wells	Weter
Whorton	Wilson 119	Wilson 130	Witte	Wood
Wright 159	Wright-Jones	Yaeger	Zimmerman	Zweifel
Mr Speaker				



NOES: 000

PRESENT: 000

ABSENT WITH LEAVE: 020

Burnett	Denison	El-Amin	Haywood	Hughes
Johnson	Kasten	Low 39	Lowe 44	McGhee
Muschany	Nieves	Portwood	Salva	Sander
Spreng	Talboy	Wildberger	Yates	Young

VACANCIES: 002

Speaker Jetton resumed the Chair.

### MESSAGE FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **SCS HCS HBs 2062 & 1518**, entitled:

An act to repeal sections 41.1010, 42.007, 115.277, 160.053, 168.021, 170.011, and 620.515, RSMo, and to enact in lieu thereof sixteen new sections relating to members of the military and their families, with an emergency clause for certain sections.

With Senate Amendment No. 1.

#### *Senate Amendment No. 1*

AMEND Senate Committee Substitute for House Committee Substitute for House Bill Nos. 2062 & 1518, Pages 14-16, Section 173.234, by striking all of said section and inserting in lieu thereof the following:

**"173.234. 1. As used in this section, unless the context clearly requires otherwise, the following terms mean:**

- (1) "Board", the coordinating board for higher education;**
- (2) "Books", any books required for any course for which tuition was paid by a grant awarded under this section;**
- (3) "Grant", the war veteran's survivors grant as established in this section;**
- (4) "Institution of postsecondary education", any approved Missouri public institution of postsecondary education, as defined in section 173.205;**
- (5) "Survivor", a child or spouse of a war veteran;**
- (6) "Tuition", any tuition or incidental fee, or both, charged by an institution of postsecondary education for attendance at the institution by a student as a resident of this state. The tuition grant shall not exceed the amount of tuition charged a Missouri resident at the University of Missouri-Columbia for attendance;**
- (7) "War veteran", a person who served in armed combat in the military and to whom the following criteria shall apply:**
  - (a) The veteran was a Missouri resident when first entering the military service and at the time of death or injury; and**
  - (b) The veteran dies as a result of combat action or the veteran's death was certified by a Veterans' Administration medical authority to be attributable to an illness that was contracted while serving in combat, or who became eighty percent disabled as a result of injuries or accidents sustained in combat action.**

**2. Within the limits of the amounts appropriated therefor, the coordinating board for higher education shall award annually up to twenty-five grants to survivors of war veterans to attend institutions of postsecondary education in this state, which shall continue to be awarded annually to eligible recipients as long as the recipient achieves and maintains a cumulative grade point average of at least two and one-half on a four point scale, or its equivalent. If the waiting list of eligible survivors exceeds fifty, the coordinating board may petition the general**

assembly to expand the quota. If the quota is not expanded, then the eligibility of survivors on the waiting list shall be extended.

3. A survivor may receive a grant under this section only so long as the survivor is enrolled in a program leading to a certificate, or an associate or baccalaureate degree. In no event shall a survivor receive a grant beyond the completion of the first baccalaureate degree, regardless of age.

4. The coordinating board for higher education shall:

- (1) Promulgate all necessary rules and regulations for the implementation of this section; and
- (2) Provide the forms and determine the procedures necessary for a survivor to apply for and receive a grant under this section.

5. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2008, shall be invalid and void.

6. In order to be eligible to receive a grant under this section, a survivor shall be certified as eligible by the Missouri veterans' commission. In the case of an illness-related death, such certification shall be made upon qualified medical certification by a Veterans' Administration medical authority that the illness was both a direct result of the veteran's combat service and a substantial factor in the cause of the resulting death of the veteran.

7. A survivor who is enrolled or has been accepted for enrollment as an undergraduate postsecondary student at an approved institution of postsecondary education, and who is selected to receive a grant under this section, shall receive the following:

- (1) An amount not to exceed the actual tuition charged at the approved institution of postsecondary education where the survivor is enrolled or accepted for enrollment;
- (2) An allowance of up to two thousand dollars per semester for room and board; and
- (3) The actual cost of books, up to a maximum of five hundred dollars per semester.

8. A survivor who is a recipient of a grant may transfer from one approved public institution of postsecondary education to another without losing his or her entitlement under this section. The board shall make necessary adjustments in the amount of the grant. If a grant recipient at any time withdraws from the institution of postsecondary education so that under the rules and regulations of that institution he or she is entitled to a refund of any tuition, fees, room and board, books, or other charges, the institution shall pay the portion of the refund to which he or she is entitled attributable to the grant for that semester or similar grading period to the board.

9. If a survivor is granted financial assistance under any other student aid program, public or private, the full amount of such aid shall be reported to the board by the institution and the eligible survivor.

10. Nothing in this section shall be construed as a promise or guarantee that a person will be admitted to an institution of postsecondary education or to a particular institution of postsecondary education, will be allowed to continue to attend an institution of postsecondary education after having been admitted, or will be graduated from an institution of postsecondary education.

11. The benefits conferred by this section shall be available to any academically qualified surviving spouse or children of war veterans. Surviving children who are eligible shall be permitted to apply for full benefits conferred by this section until they reach twenty-five years of age.

12. Pursuant to section 23.253, RSMo, of the Missouri sunset act:

- (1) The provisions of the new program authorized under this section shall sunset automatically six years after the effective date of this section unless reauthorized by an act of the general assembly; and
- (2) If such program is reauthorized, the program authorized under this section shall sunset automatically twelve years after the effective date of the reauthorization of this section; and
- (3) This section shall terminate on September first of the calendar year immediately following the calendar year in which the program authorized under this section is sunset." ; and

Further amend the title and enacting clause accordingly.

Emergency clause adopted.

In which the concurrence of the House is respectfully requested.

### **REFERRAL OF HOUSE RESOLUTIONS**

The following House Resolutions were referred to the Committee indicated:

- HR 1316** - Special Committee on Energy and Environment
- HR 1414** - Special Committee on General Laws
- HR 1429** - Special Committee on Immigration
- HR 2986** - Crime Prevention and Public Safety

### **REFERRAL OF HOUSE CONCURRENT RESOLUTIONS**

The following House Concurrent Resolutions were referred to the Committee indicated:

- HCR 9** - Special Committee on Financial Institutions
- HCR 28** - Crime Prevention and Public Safety
- HCR 29** - Special Committee on State Parks and Waterways
- HCR 31** - Special Committee on Family Services
- HCR 32** - Special Committee on General Laws
- HCR 33** - Agriculture Policy
- HCR 37** - Judiciary
- HCR 38** - Transportation
- HCR 39** - Conservation and Natural Resources
- HCR 40** - Special Committee on Energy and Environment
- HCR 41** - Conservation and Natural Resources
- HCR 42** - Special Committee on Health Insurance
- HCR 44** - Elections
- HCR 45** - Special Committee on Family Services
- HCR 47** - Agriculture Policy
- HCR 48** - Crime Prevention and Public Safety

### **REFERRAL OF HOUSE JOINT RESOLUTIONS**

The following House Joint Resolutions were referred to the Committee indicated:

- HJR 72** - Elementary and Secondary Education
- HJR 74** - Crime Prevention and Public Safety
- HJR 76** - Transportation
- HJR 78** - Higher Education
- HJR 80** - Judiciary

## REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

**HB 1330** - Health Care Policy  
**HB 1338** - Transportation  
**HB 1390** - Agriculture Policy  
**HB 1429** - Crime Prevention and Public Safety  
**HB 1473** - Crime Prevention and Public Safety  
**HB 1478** - Special Committee on General Laws  
**HB 1583** - Crime Prevention and Public Safety  
**HB 1652** - Agriculture Policy  
**HB 1682** - Ways and Means  
**HB 1702** - Crime Prevention and Public Safety  
**HB 1742** - Special Committee on General Laws  
**HB 1743** - Ways and Means  
**HB 1781** - Corrections and Public Institutions  
**HB 1803** - Agriculture Policy  
**HB 1823** - Special Committee on Veterans  
**HB 1875** - Elementary and Secondary Education  
**HB 1878** - Ways and Means  
**HB 1896** - Elementary and Secondary Education  
**HB 1913** - Elementary and Secondary Education  
**HB 1917** - Special Committee on Utilities  
**HB 1928** - Special Committee on Government Affairs  
**HB 1948** - Special Committee on Professional Registration and Licensing  
**HB 1953** - Health Care Policy  
**HB 1959** - Special Committee on Health Insurance  
**HB 2028** - Health Care Policy  
**HB 2042** - Local Government  
**HB 2049** - Crime Prevention and Public Safety  
**HB 2072** - Ways and Means  
**HB 2083** - Health Care Policy  
**HB 2084** - Judiciary  
**HB 2085** - Elections  
**HB 2090** - Transportation  
**HB 2099** - Judiciary  
**HB 2101** - Special Committee on Urban Education Reform  
**HB 2102** - Special Committee on Retirement  
**HB 2105** - Judiciary  
**HB 2108** - Ways and Means  
**HB 2123** - Special Committee on Family Services  
**HB 2127** - Special Committee on Urban Education Reform  
**HB 2128** - Health Care Policy  
**HB 2131** - Ways and Means  
**HB 2133** - Judiciary  
**HB 2137** - Judiciary

**HB 2146** - Local Government  
**HB 2176** - Judiciary  
**HB 2182** - Transportation  
**HB 2183** - Special Committee on Healthcare Transformation  
**HB 2184** - Ways and Means  
**HB 2185** - Special Committee on Workforce Development and Workplace Safety  
**HB 2186** - Judiciary  
**HB 2187** - Ways and Means  
**HB 2192** - Special Committee on Healthcare Transformation  
**HB 2193** - Health Care Policy  
**HB 2203** - Judiciary  
**HB 2209** - Transportation  
**HB 2211** - Special Committee on Government Affairs  
**HB 2216** - Elementary and Secondary Education  
**HB 2218** - Special Committee on Retirement  
**HB 2248** - Insurance Policy  
**HB 2251** - Transportation  
**HB 2252** - Transportation  
**HB 2253** - Transportation  
**HB 2262** - Elections  
**HB 2267** - Crime Prevention and Public Safety  
**HB 2273** - Judiciary  
**HB 2274** - Special Committee on Energy and Environment  
**HB 2280** - Higher Education  
**HB 2285** - Corrections and Public Institutions  
**HB 2286** - Insurance Policy  
**HB 2287** - Crime Prevention and Public Safety  
**HB 2288** - Elections  
**HB 2290** - Ways and Means  
**HB 2294** - Special Committee on Tourism  
**HB 2296** - Higher Education  
**HB 2297** - Special Committee on Tourism  
**HB 2299** - Health Care Policy  
**HB 2300** - Insurance Policy  
**HB 2303** - Judiciary  
**HB 2312** - Elections  
**HB 2314** - Transportation  
**HB 2315** - Elementary and Secondary Education  
**HB 2316** - Elementary and Secondary Education  
**HB 2317** - Elementary and Secondary Education  
**HB 2318** - Elementary and Secondary Education  
**HB 2319** - Agriculture Policy  
**HB 2323** - Special Committee on Family Services  
**HB 2325** - Special Committee on Immigration  
**HB 2331** - Special Committee on Financial Institutions  
**HB 2334** - Special Committee on Family Services  
**HB 2337** - Judiciary

- HB 2338** - Elementary and Secondary Education
- HB 2340** - Crime Prevention and Public Safety
- HB 2344** - Judiciary
- HB 2345** - Special Committee on Energy and Environment
- HB 2346** - Special Committee on Healthcare Transformation
- HB 2348** - Special Committee on Family Services
- HB 2349** - Special Committee on Workforce Development and Workplace Safety
- HB 2356** - Special Committee on Healthcare Transformation
- HB 2357** - Special Committee on Student Achievement
- HB 2358** - Higher Education
- HB 2359** - Special Committee on Health Insurance
- HB 2368** - Crime Prevention and Public Safety
- HB 2378** - Judiciary
- HB 2379** - Special Committee on Tax Reform
- HB 2381** - Judiciary
- HB 2382** - Judiciary
- HB 2383** - Insurance Policy
- HB 2386** - Health Care Policy
- HB 2387** - Special Committee on Workforce Development and Workplace Safety
- HB 2388** - Transportation
- HB 2389** - Judiciary
- HB 2390** - Health Care Policy
- HB 2391** - Judiciary
- HB 2392** - Crime Prevention and Public Safety
- HB 2395** - Special Committee on Job Creation and Economic Development
- HB 2397** - Special Committee on Workforce Development and Workplace Safety
- HB 2399** - Special Committee on Workforce Development and Workplace Safety
- HB 2400** - Special Committee on Professional Registration and Licensing
- HB 2402** - Transportation
- HB 2403** - Elementary and Secondary Education
- HB 2406** - Crime Prevention and Public Safety
- HB 2407** - Transportation
- HB 2408** - Special Committee on Financial Institutions
- HB 2409** - Local Government
- HB 2410** - Ways and Means
- HB 2411** - Ways and Means
- HB 2412** - Elementary and Secondary Education
- HB 2414** - Special Committee on Retirement
- HB 2415** - Local Government
- HB 2418** - Special Committee on Healthcare Transformation
- HB 2422** - Special Committee on Utilities
- HB 2424** - Special Committee on Health Insurance
- HB 2428** - Special Committee on Energy and Environment
- HB 2431** - Judiciary
- HB 2432** - Ways and Means
- HB 2436** - Judiciary
- HB 2437** - Special Committee on Energy and Environment

**HB 2439** - Special Committee on Government Affairs  
**HB 2441** - Health Care Policy  
**HB 2445** - Crime Prevention and Public Safety  
**HB 2448** - Transportation  
**HB 2449** - Special Committee on Government Affairs  
**HB 2450** - Special Committee on Healthcare Transformation  
**HB 2451** - Local Government  
**HB 2452** - Special Committee on Professional Registration and Licensing  
**HB 2453** - Judiciary  
**HB 2454** - Special Committee on Professional Registration and Licensing  
**HB 2456** - Special Committee on Veterans  
**HB 2459** - Special Committee on Senior Citizen Advocacy  
**HB 2462** - Special Committee on Professional Registration and Licensing  
**HB 2463** - Crime Prevention and Public Safety  
**HB 2464** - Special Committee on Family Services  
**HB 2465** - Special Committee on Family Services  
**HB 2466** - Special Committee on Government Affairs  
**HB 2467** - Ways and Means  
**HB 2469** - Special Committee on Professional Registration and Licensing  
**HB 2470** - Special Committee on Job Creation and Economic Development  
**HB 2473** - Conservation and Natural Resources  
**HB 2477** - Judiciary  
**HB 2478** - Transportation  
**HB 2483** - Special Committee on Job Creation and Economic Development  
**HB 2486** - Special Committee on Family Services  
**HB 2488** - Crime Prevention and Public Safety  
**HB 2490** - Special Committee on Job Creation and Economic Development  
**HB 2492** - Special Committee on Government Affairs  
**HB 2493** - Transportation  
**HB 2495** - Special Committee on Tax Reform  
**HB 2498** - Conservation and Natural Resources  
**HB 2499** - Conservation and Natural Resources  
**HB 2500** - Special Committee on Health Insurance  
**HB 2501** - Special Committee on Family Services  
**HB 2502** - Special Committee on Job Creation and Economic Development  
**HB 2503** - Conservation and Natural Resources  
**HB 2504** - Crime Prevention and Public Safety  
**HB 2505** - Special Committee on Government Affairs  
**HB 2506** - Special Committee on Agri-business  
**HB 2507** - Crime Prevention and Public Safety  
**HB 2510** - Crime Prevention and Public Safety  
**HB 2512** - Health Care Policy  
**HB 2513** - Special Committee on Health Insurance  
**HB 2515** - Higher Education  
**HB 2518** - Crime Prevention and Public Safety  
**HB 2520** - Special Committee on Retirement  
**HB 2521** - Ways and Means

- HB 2523** - Special Committee on Tourism
- HB 2524** - Crime Prevention and Public Safety
- HB 2525** - Crime Prevention and Public Safety
- HB 2526** - Local Government
- HB 2528** - Ways and Means
- HB 2530** - Corrections and Public Institutions
- HB 2531** - Special Committee on Government Affairs
- HB 2532** - Ways and Means
- HB 2534** - Special Committee on Job Creation and Economic Development
- HB 2538** - Transportation
- HB 2539** - Special Committee on Professional Registration and Licensing
- HB 2540** - Health Care Policy
- HB 2541** - Elections
- HB 2542** - Elementary and Secondary Education
- HB 2545** - Ways and Means
- HB 2546** - Special Committee on General Laws
- HB 2548** - Health Care Policy
- HB 2551** - Corrections and Public Institutions
- HB 2553** - Special Committee on Student Achievement
- HB 2557** - Special Committee on Student Achievement
- HB 2558** - Judiciary
- HB 2559** - Health Care Policy
- HB 2560** - Insurance Policy
- HB 2561** - Special Committee on Professional Registration and Licensing
- HB 2563** - Crime Prevention and Public Safety
- HB 2564** - Special Committee on Immigration
- HB 2566** - Special Committee on Urban Education Reform
- HB 2569** - Special Committee on Job Creation and Economic Development
- HB 2570** - Special Committee on Job Creation and Economic Development
- HB 2571** - Special Committee on Job Creation and Economic Development
- HB 2572** - Local Government
- HB 2573** - Ways and Means
- HB 2574** - Special Committee on Energy and Environment
- HB 2575** - Special Committee on Energy and Environment
- HB 2576** - Transportation
- HB 2577** - Local Government
- HB 2578** - Special Committee on Tax Reform
- HB 2579** - Elementary and Secondary Education
- HB 2584** - Special Committee on Veterans
- HB 2585** - Special Committee on Health Insurance
- HB 2587** - Special Committee on Utilities
- HB 2588** - Transportation
- HB 2589** - Special Committee on Urban Education Reform
- HB 2591** - Special Committee on Veterans
- HB 2593** - Special Committee on Urban Education Reform
- HB 2595** - Conservation and Natural Resources
- HB 2596** - Elementary and Secondary Education



## COMMITTEE REPORTS

**Committee on Fiscal Review**, Chairman Guest reporting:

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SCS SB 726** (Fiscal Note), begs leave to report it has examined the same and reports it **Without Recommendation**.

Mr. Speaker: Your Committee on Fiscal Review, to which was referred **HCS SS SB 817** (Fiscal Note), begs leave to report it has examined the same and reports it **Without Recommendation**.

## MESSAGES FROM THE SENATE

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1313**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1354**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1368**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1380**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1419**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1426**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1469**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS HCS HBs 1549, 1771, 1395 & 2366, as amended**, and has taken up and passed **CCS SS HCS HBs 1549, 1771, 1395 & 2366**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1575**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1608**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1628**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1670**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1710**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1784**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1791**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1828**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1849**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1869**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1881**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1887**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1888**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 1893**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 1952**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2036**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2213**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted the Conference Committee Report on **SS SCS HB 2224**, and has taken up and passed **CCS SS SCS HB 2224**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HB 2233**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and passed **HCS HB 2360**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 733** and has taken up and passed **HCS SB 733**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SBs 753, 728, 906 & 1026** and has taken up and passed **HCS SCS SBs 753, 728, 906 & 1026**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **House Amendment No. 1, House Amendment No. 2 and House Amendment No. 3 to SCS SB 788** and has taken up and passed **SCS SB 788, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SS SCS SBs 818 & 795** and has taken up and passed **HCS SS SCS SBs 818 & 795**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 932, as amended**, and has taken up and passed **HCS SB 932, as amended**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SB 1002** and has taken up and passed **HCS SB 1002**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1033** and has taken up and passed **HCS SCS SB 1033**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1039** and has taken up and passed **HCS SCS SB 1039**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1081** and has taken up and passed **HCS SCS SB 1081**.

Emergency clause adopted.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1131** and has taken up and passed **HCS SCS SB 1131**.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **HCS SCS SB 1170, as amended**, and has taken up and passed **HCS SCS SB 1170, as amended**.

Emergency clause adopted.

## COMMUNICATION

May 16, 2008

Speaker Rod Jetton  
State Capitol, Room 308  
Jefferson City, MO 65101

Dear Honorable Jetton:

It has been my upmost pleasure to serve under you for the past six years. We have made a big difference in the direction of our state and we have accomplished many important changes.

I have been privileged to serve the people of the 95<sup>th</sup> District for the past six years. I have accepted a position as Chairman of the State Board of Mediation. Consequently, I am respectfully submitting my resignation effective Friday, May 16, 2008 at 11:59 p.m.

Thank you for all of your support and I wish you and your family the best of luck in the future!

Warmest regards,

/s/ Jim Avery  
State Representative  
District 95

Representative Bringer delivered a closing prayer.

Thank You so much for giving us the opportunity to serve together in the legislature. We are so grateful, and we know that when we are serving others we are serving You. As we adjourn the legislative session today, open our eyes to the needs of those around us. Give us the wisdom to help our communities, our state, and our nation when we return to session next year. For those of us who are not returning, bless them for their service to our state, and watch over them in their future endeavors.

In Your Heavenly Name we pray. Amen.

## ADJOURNMENT

On motion of Representative Tilley, the House adjourned until 10:00 a.m., Tuesday, May 20, 2008.

## CORRECTIONS TO THE HOUSE JOURNAL

### AFFIDAVITS

I, State Representative Terry Swinger, District 162, hereby state and affirm that my vote as recorded on Page 1806, to Third Read and Pass House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill No. 718, as amended, in the House Journal for May 15, 2008 was incorrectly recorded as aye. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Terry Swinger  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public

I, State Representative Patricia Yaeger, District 96, hereby state and affirm that my vote as recorded on Page 1830 to Third Read and Pass Senate Bill No. 885, as amended, in the House Journal for May 15, 2008 was incorrectly recorded as absent. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Patricia Yaeger  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public

I, State Representative Charlie Denison, District 135, hereby state and affirm that my vote as recorded on the motion to adopt Senate Committee Substitute for House Committee Substitute for House Bill No. 1715, as amended, as recorded in the House Journal for May 16, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Charlie Denison  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public

\_\_\_\_\_  
I, State Representative Talibdin El-Amin, District 57, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 1, as amended, to Senate Bill No. 1038 as recorded in the House Journal for May 16, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote at that time, and my vote was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Talibdin El-Amin  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Patricia G. Pleus  
Notary Public

\_\_\_\_\_  
I, State Representative Tony George, District 74, hereby state and affirm that my vote as recorded on the motion to move the Previous Question on Senate Bill No. 1038, as amended, as recorded in the House Journal for May 16, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Tony George  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Patricia G. Pleus  
Notary Public

I, State Representative Allen Icet, District 84, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 873 as recorded in the House Journal for May 16, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Allen Icet  
State Representative

State of Missouri )  
) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public

I, State Representative Rebecca McClanahan, District 2, hereby state and affirm that my vote as recorded on the motion to adopt Conference Committee Report to Senate Substitute for House Committee Substitute for House Bill Nos. 1549, 1771, 1395 & 2366, as recorded in the House Journal for May 16, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Rebecca McClanahan  
State Representative

State of Missouri )  
) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public

I, State Representative Jamilah Nasheed, District 60, hereby state and affirm that my vote as recorded on the motion to adopt Conference Committee Substitute No. 2 for House Committee Substitute for Senate Committee Substitute for Senate Bill No. 720, as amended, as recorded in the House Journal for May 16, 2008 showing that I voted no was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Jamilah Nasheed  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public

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I, State Representative Tom Shively, District 8, hereby state and affirm that my vote as recorded on the motion to Truly Agree To and Finally Pass Senate Committee Substitute for House Committee Substitute for House Bill No. 1715, as amended, as recorded in the House Journal for May 16, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted aye. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Tom Shively  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public

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I, State Representative Dennis Wood, District 62, hereby state and affirm that my vote as recorded on the motion to adopt House Amendment No. 1 to Senate Committee Substitute for Senate Bill No. 873 as recorded in the House Journal for May 16, 2008 showing that I was absent was incorrectly recorded. Pursuant to House Rule 89, I ask that the Journal be corrected to show that I voted no. I further state and affirm that I was present in the House Chamber at the time this vote was taken, I did in fact vote, and my vote or absence was incorrectly recorded.

IN WITNESS WHEREOF, I have hereunto subscribed my hand to this affidavit on this 16th day of May 2008.

/s/ Dennis Wood  
State Representative

State of Missouri )  
 ) ss.  
Signed in County of Cole )  
Notary Commissioned in County of Miller )

Subscribed and sworn to before me this 16th day of May in the year 2008.

/s/ Leticia J. Long  
Notary Public



# **JOURNAL OF THE HOUSE**

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTY-FIFTH DAY, TUESDAY, MAY 20, 2008

The House met pursuant to adjournment.

Representative Deeken in the Chair.

There was a moment of silent prayer.

The Pledge of Allegiance to the flag was recited.

## **HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED**

House Resolution No. 3185 through House Resolution No. 3196

The following members' presence was noted: Dixon, Dougherty, Grisamore, Guest, Kraus, Low (39), Marsh, May, McClanahan, Muschany, Nieves, Pratt, Richard, Robb, Silvey, Smith (14), Villa and Yates.

## **ADJOURNMENT**

On motion of Representative Deeken, the House adjourned until 10:00 a.m., Thursday, May 29, 2008.

# JOURNAL OF THE HOUSE

Second Regular Session, 94th GENERAL ASSEMBLY

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SEVENTY-SIXTH DAY, THURSDAY, MAY 29, 2008

The House met pursuant to adjournment.

Speaker Jetton in the Chair.

Prayer by Representative Shannon Cooper.

Dear Lord,

Bless this great state and all those who serve in this body. Watch over and guide us, lead us in a direction that is pleasing to You. In Your ever precious name we pray. Amen.

The Pledge of Allegiance to the flag was recited.

The Speaker appointed the following to act as an Honorary Page for the Day, to serve without compensation: Chase Cooper.

## HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 3197 through House Resolution No. 3317

## SIGNING OF HOUSE BILLS

All other business of the House was suspended while **HB 2001, CCS SCS HCS HB 2002, CCS SCS HCS HB 2003, CCS SCS HB 2004, CCS SCS HCS HB 2005, CCS SCS HCS HB 2006, CCS SCS HCS HB 2007, CCS SCS HCS HB 2008, CCS SCS HCS HB 2009, CCS SCS HCS HB 2010, CCS SCS HCS HB 2011, CCS SCS HCS HB 2012, CCS SCS HCS HB 2013, HCS HB 2016, CCS SCS HCS HB 2023, SCS HB 1311, HB 1313, HCS HB 1341, HB 1354, HB 1368, HCS HB 1380, SS SCS HB 1384 & HB 2157, HB 1419, SCS HB 1422, HB 1426, SCS HB 1450, HB 1469, CCS SS HCS HBs 1549, 1771, 1395 & 2366, SS HCS HB 1550, SCS HB 1570, HCS HB 1575, HB 1608, HB 1628, SCS HB 1640, HB 1670, SS HB 1678, SCS HB 1689, SCS HCS HB 1690, HB 1710, SCS HCS HB 1715, SS SCS HCS HB 1779, HB 1784, SS HCS HB 1790, HB 1791, SCS HCS HB 1804, SCS HCS HB 1807, HB 1828, HB 1849, HB 1869, HB 1881, SCS HCS HB 1883, HB 1887, HCS HB 1888, HCS HB 1893, SCS HB 1946, HB 1952, HB 1970, SCS HCS HB 2034, HCS HB 2036, SCS HCS HB 2041, SCS HB 2047, SCS HCS HB 2048, SS SCS HCS HB 2058, SCS HB 2065, SCS HCS HB 2188, SS SCS HB 2191, HB 2213, CCS SS SCS HB 2224, HB 2233 and HCS HB 2360** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

Having been duly signed in open session of the Senate, **HB 2001, CCS SCS HCS HB 2002, CCS SCS HCS HB 2003, CCS SCS HB 2004, CCS SCS HCS HB 2005, CCS SCS HCS HB 2006, CCS SCS HCS HB 2007, CCS SCS HCS HB 2008, CCS SCS HCS HB 2009, CCS SCS HCS HB 2010, CCS SCS HCS HB 2011, CCS SCS HCS HB 2012, CCS SCS HCS HB 2013, HCS HB 2016, CCS SCS HCS HB 2023, SCS HB 1311, HB 1313, HCS HB 1341, HB 1354, HB 1368, HCS HB 1380, SS SCS HB 1384 & HB 2157, HB 1419, SCS HB 1422, HB 1426, SCS HB 1450, HB 1469, CCS SS HCS HBs 1549, 1771, 1395 & 2366, SS HCS HB 1550, SCS HB 1570, HCS HB 1575, HB 1608, HB 1628, SCS HB 1640, HB 1670, SS HB 1678, SCS HB 1689, SCS HCS HB 1690, HB 1710, SCS HCS HB 1715, SS SCS HCS HB 1779, HB 1784, SS HCS HB 1790, HB 1791, SCS HCS HB 1804, SCS HCS HB 1807, HB 1828, HB 1849, HB 1869, HB 1881, SCS HCS HB 1883, HB 1887, HCS HB 1888, HCS HB 1893, SCS HB 1946, HB 1952, HB 1970, SCS HCS HB 2034, HCS HB 2036, SCS HCS HB 2041, SCS HB 2047, SCS HCS HB 2048, SS SCS HCS HB 2058, SCS HB 2065, SCS HCS HB 2188, SS SCS HB 2191, HB 2213, CCS SS SCS HB 2224, HB 2233 and HCS HB 2360** were delivered to the Governor by the Chief Clerk of the House.

#### **SIGNING OF SENATE JOINT RESOLUTION**

All other business of the House was suspended while **SJR 45** was read at length and, there being no objection, was signed by the Speaker to the end that the same may become law.

#### **SIGNING OF SENATE BILLS**

All other business of the House was suspended while **CCS HCS SS SCS SB 711, SS SCS SBs 714, 933, 899 & 758, CCS HCS#2 SS SCS SB 718, CCS#2 HCS SCS SB 720, CCS HCS SCS SB 724, HCS SB 733, SB 748, HCS SCS SBs 753, 728, 906 & 1026, CCS HCS SCS SB 765, SS SCS SB 768, SCS SB 788, SB 801, SCS SB 806, HCS SS SCS SBs 818 & 795, HCS SCS SB 830, SB 839, SCS SB 850, HCS SB 863, SCS SB 873, SB 896, HCS SCS SB 907, CCS HCS SCS SBs 930 & 947, CCS HCS SS SCS SB 931, HCS SB 932, SB 936, HCS SCS SB 939, SCS SB 951, SB 956, HCS SB 958, SB 979, SB 980, SB 991, SB 999, HCS SB 1002, SCS SB 1009, SB 1016, HCS SCS SB 1033, SB 1038, HCS SCS SB 1039, SCS SB 1040, SCS SB 1044, SB 1061, CCS SB 1068, SB 1073, HCS SCS SB 1081, SCS SB 1105, HCS SCS SB 1131, SCS SB 1139, HCS SB 1140, SCS SB 1150, SCS SB 1168, HCS SCS SB 1170, SB 1177, CCS HCS SCS SBs 1181, 1100, 1262 & 1263, SB 1187, SB 1190 and SCS SB 1235** were read at length and, there being no objection, were signed by the Speaker to the end that the same may become law.

**COMMITTEE CHANGE**

May 28, 2008

Mr. Adam Crumbliss, Chief Clerk  
Missouri House of Representatives  
State Capitol, Room 306C  
Jefferson City, MO 65101

Dear Mr. Crumbliss:

I hereby remove Representative Brian Yates from the Joint Committee on Legislative Research and appoint Representative Steve Hunter to take his place.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

/s/ Rod Jetton  
Speaker

**MESSAGE FROM THE GOVERNOR**

Executive Office

May 22, 2008

TO THE CHIEF CLERK OF THE  
HOUSE OF REPRESENTATIVES  
94<sup>TH</sup> GENERAL ASSEMBLY  
SECOND REGULAR SESSION  
STATE OF MISSOURI

Herewith I return to you **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2393** entitled:

“AN ACT”

To repeal sections 135.950 and 135.967, RSMo, and to enact in lieu thereof three new sections relating to enhanced enterprise zones.

On May 22, 2008 I approved said **Senate Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2393**.

Respectfully submitted,

/s/ Matt Blunt  
Governor

The following members' presence was noted: Day, Denison, Dougherty, Fisher, Grisamore, Jones (117), Kuessner, McGhee, Nieves, Norr, Parkinson, Scharnhorst, Silvey, Smith (14), Talboy, Threlkeld, Wells and Witte.

**ADJOURNMENT**

Speaker Jetton declared the House of Representatives of the Ninety-fourth General Assembly, convened in the Second Regular Session on January 9, 2008, adjourned sine die, pursuant to the Constitution.

ROD JETTON  
Speaker of the House

D. ADAM CRUMBLISS  
Chief Clerk of the House

# JOURNAL OF THE HOUSE

## VETO SESSION

Second Regular Session, 94th GENERAL ASSEMBLY

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FIRST DAY, WEDNESDAY, SEPTEMBER 10, 2008

Speaker Jetton in the Chair.

Prayer by Reverend James Earl Jackson.

Father, we give thanks for the State of Missouri and its government. We hold up in prayer before You these men and women of the House of Representatives, who have accepted the responsibility to govern.

As they take up the tasks presented in this veto session, we believe that skillful and godly wisdom has entered their hearts and knowledge is pleasant to them; discretion watches over them; understanding keeps them and delivers them from the way of deception and deceptive tactics.

We believe You cause them to be men and women of integrity, who lead a quiet and peaceable life in all godliness and honesty. We believe that their hearts are in Your hand and that their decisions are divinely directed of You.

We believe these legislators to be men and women who understand the times in which we live, and receive the wisdom from You as to the best course for Missouri to take.

We give thanks for this state and the leaders You have given us.

In the name of Your Son, we pray. Amen.

The Pledge of Allegiance to the flag was recited.

## HOUSE RESOLUTION

Representative Tilley offered **House Resolution No. 1**, which was read.

### HOUSE RESOLUTION NO. 1

BE IT RESOLVED, that the Chief Clerk of the House of Representatives of the Ninety-fourth General Assembly, Second Regular Session, inform the Governor and the Senate that the House is duly convened and is now in session in the 2008 Constitutional Veto Session and ready for consideration of business.

On motion of Representative Tilley, **House Resolution No. 1** was adopted by the following vote:

AYES: 144

Aull	Baker 25	Baker 123	Bivins	Bland
Brandom	Bringer	Brown 30	Brown 50	Bruns
Casey	Chappelle-Nadal	Cooper 120	Cooper 155	Corcoran
Cox	Cunningham 145	Cunningham 86	Curls	Davis
Day	Deeken	Denison	Dethrow	Dixon
Donnelly	Dougherty	Dusenberg	El-Amin	Emery
Ervin	Faith	Fallert	Fares	Fisher
Flook	Frame	Franz	Funderburk	George
Grill	Grisamore	Guest	Harris 110	Haywood
Hobbs	Hodges	Hoskins	Hunter	Ice
Jones 89	Jones 117	Kasten	Kelly	Kingery
Komo	Kratky	Kraus	Kuessner	Lampe
Lembke	LeVota	Liese	Lipke	Loehner
Low 39	Lowe 44	Marsh	May	McClanahan
McGhee	Meadows	Meiners	Moore	Munzlinger
Nance	Nasheed	Nieves	Nolte	Norr
Onder	Oxford	Page	Parkinson	Parson
Pollock	Pratt	Quinn 7	Quinn 9	Richard
Robb	Robinson	Roorda	Rucker	Ruestman
Ruzicka	Salva	Sander	Sater	Scavuzzo
Schaaf	Schad	Scharnhorst	Schieffer	Schlottach
Schneider	Schoeller	Schoemehl	Self	Shively
Silvey	Smith 14	Smith 150	Spreng	Stevenson
St. Onge	Storch	Stream	Sutherland	Swinger
Thomson	Threlkeld	Tilley	Todd	Villa
Wallace	Walsh	Wasson	Wells	Weter
Whorton	Wildberger	Wilson 119	Wilson 130	Witte
Wood	Wright 159	Wright-Jones	Yaeger	Yates
Young	Zimmerman	Zweifel	Mr Speaker	

NOES: 005

Burnett	Daus	Hughes	Talboy	Vogt
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PRESENT: 000

ABSENT WITH LEAVE: 010

Darrough	Harris 23	Holsman	Hubbard	Johnson
Pearce	Portwood	Skaggs	Viebrock	Walton

VACANCIES: 004

**MESSAGES FROM THE GOVERNOR**

July 10, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Senate Committee Substitute for House Bill No. 1689** entitled:

"AN ACT"

To repeal sections 286.200, 286.205, and 286.210, RSMo, and to enact in lieu thereof four new sections relating to the office of administration.

I disapprove of Senate Committee Substitute for House Bill No. 1689. My reasons for disapproval are as follows:

Although I acknowledge and respect that our state capitol belongs uniquely to the members of the Missouri General Assembly and their constituents, I believe that this legislation could pose potential harm and danger to legislators, their constituents and our historic capitol building.

The Capitol Police and the Missouri Department of Public Safety have expressed serious concerns and reservations with the requirement that keys to the capitol dome area be issued to each member of the General Assembly by the Office of Administration. My concern and their concern is not with the legislators who would receive these keys, but simply the increased access to more than a hundred additional keys which could be stolen and misplaced. The concerns of those responsible for the safety and security of our capitol building and its occupants and visitors are very serious and range from the inaccessibility of the capitol dome area in the event of a medical emergency to the potential for unseen homeland security threats.

Currently, five keys have been issued to the Senate administrator and six keys to the House administrator for access to the capitol dome area. Although my disapproval of this bill will not require the Office of Administration to provide keys to each legislator, nothing in current law prohibits current legislators from seeking an additional key from the Office of Administration and working with Capitol Police and the Office of Administration to ensure that their safety and the safety of our visitors in the capitol is put first.

For the above stated reasons, I am returning **Senate Committee Substitute for House Bill No. 1689** without my approval.

Respectfully submitted,

/s/ Matt Blunt  
Governor

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June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Higher Education, the several divisions, programs, and institutions of higher education included therein to be



expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

Section 3.160

I hereby veto the words “- Health Care Account”. As acknowledged by the General Assembly, the inclusion of this text was an error. The Healthy Families Trust Fund – Health Care Account was abolished as per Executive Order 06-22, signed June 22, 2006. This and all other sub-accounts of the Healthy Families Trust Fund were transferred to the Healthy Families Trust Fund by the same executive order. By deleting the words “- Health Care Account,” the appropriation of \$437,640 for the Missouri Telehealth Network will be from the properly named Healthy Families Trust Fund.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2003**, except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt  
Governor

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June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Public Safety and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, and to transfer money among certain funds for the period beginning July 1, 2008 and ending June 30, 2009.

Section 8.005

I hereby veto \$500,000 Conservation Commission Fund for a statewide interoperable communications system. This appropriation violates Article IV, Section 43 (b) of the Missouri Constitution, which states that Conservation Commission funds shall be expended and used by the Conservation Commission, Department of Conservation, for the control, management, restoration, conservation and regulation of the bird, fish, game, forestry and wildlife resources of the state, and for no other purpose. This expenditure is not for purposes listed and was not approved by the Conservation Commission.

From \$500,000 to \$0 from the Conservation Commission Fund  
From \$32,318,248 to \$31,818,248 in total for the section.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2008** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt  
Governor

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June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** entitled:

"AN ACT"

To appropriate money for the expenses, grants, refunds, and distributions of the Department of Mental Health, the Board of Public Buildings, the Department of Health and Senior Services, and the several divisions and programs thereof, the Missouri Health Facilities Review Committee to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Section 10.678

I hereby veto \$62,914 General Revenue for the Evan De Mello Program. This funding was contingent on the passage of HB 1516, which was not enacted during this session.

Said section is vetoed in its entirety from \$62,914 to \$0 from General Revenue Fund.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2010** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt  
Governor

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June 27, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011** entitled:

"AN ACT"

To appropriate money for the expenses, grants, and distributions of the Department of Social Services and the Office of Administration and the several divisions and programs thereof to be expended only as provided in Article IV, Section 28 of the Constitution of Missouri, for the period beginning July 1, 2008 and ending June 30, 2009.

Section 11.160

I hereby veto \$50,000 Child Support Enforcement Fund for the purpose of mediation services. These funds were not part of my original budget and were not requested by the department. Changes in federal law have diverted Child Support Enforcement Funds, which have come to states to support child support activities. Until the full impact of these changes is determined, diverting funding from core responsibilities of child support activities to mediation could undermine the child support program.

From \$665,000 to \$615,000 from Child Support Enforcement Collections Fund  
From \$40,064,163 to \$40,014,163 in total for the section.

Section 11.445

I hereby veto \$15,000,000 General Revenue for the Part D Medicare Clawback payments. The appropriation is being reduced to reflect the anticipated spending level.

From \$190,000,000 to \$175,000,000 from General Revenue Fund  
From \$994,732,959 to \$979,732,959 in total for the section.

On June 27, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2011** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt  
Governor

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June 30, 2008

TO THE SECRETARY OF STATE OF THE STATE OF MISSOURI

Herewith I return to you **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2023** entitled:

"AN ACT"

To appropriate money for planning, expenses, and for capital improvements including, but not limited to, major additions and renovations, new structures, and land improvements or acquisitions, and to transfer money among certain funds.

Section 23.032

I hereby veto \$25,000 General Revenue for the planning and construction of a sports complex in Kansas City. These funds were not part of my original budget and were not requested by any department. Typically, the state does not fund such projects. In addition, funds to complete the undertaking have not been identified.

Said section is vetoed in its entirety from \$25,000 to \$0 General Revenue Fund.

Section 23.064

I hereby veto \$500,000 General Revenue for renovation and preservation of the historic Jackson County Courthouse in Independence. This represents just the beginning of a large, multi-year, local capital improvement project. Typically, the state does not fund projects of this nature. In addition, funds to complete the undertaking have not been identified.

Said section is vetoed in its entirety from \$500,000 to \$0 General Revenue Fund.

On June 30, 2008 I approved said **Conference Committee Substitute for Senate Committee Substitute for House Committee Substitute for House Bill No. 2023** except for those items specifically vetoed and not approved.

Respectfully submitted,

/s/ Matt Blunt  
Governor

**HOUSE BILLS VETOED FROM  
THE SECOND REGULAR SESSION**

Speaker Jetton read the following House Bills vetoed from the Second Regular Session:  
**SCS HB 1689, CCS SCS HCS HB 2003, CCS SCS HCS HB 2008, CCS SCS HCS HB 2010, CCS SCS HCS HB 2011 and CCS SCS HCS HB 2023.**

**HOUSE RESOLUTION**

Representative Tilley offered **House Resolution No. 2**, which was read.

**HOUSE RESOLUTION NO. 2**

BE IT RESOLVED by the House of Representatives, that the Chief Clerk of the House of Representatives inform the Senate that the House, having been duly convened as provided by Section 32, Article III of the Constitution, made no motions to override the Governor's vetoes on **SCS HB 1689, CCS SCS HCS HB 2003, CCS SCS HCS HB 2008, CCS SCS HCS HB 2010, CCS SCS HCS HB 2011 and CCS SCS HCS HB 2023** when the bills were called by the Speaker.

On motion of Representative Tilley, **House Resolution No. 2** was adopted.

Representative LeVota assumed the Chair.

Speaker Jetton resumed the Chair.

**MESSAGES FROM THE SENATE**

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 1**.

**SENATE RESOLUTION NO. 1**

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate is duly convened and is now in session as provided by Article III, Section 32 of the Constitution and is ready for the consideration of its business.

Mr. Speaker: I am instructed by the Senate to inform the House of Representatives that the Senate has taken up and adopted **SR 4**.

**SENATE RESOLUTION NO. 4**

BE IT RESOLVED by the Senate that the Secretary of Senate inform the House of Representatives that the Senate, having been duly convened as provided by Article III, Section 32 of the Constitution, made no motion to override the Governor's vetoes of Senate Bill No. 1061 and Senate Bill No. 1190 when the bills were so called by the President.

The following member's presence was noted: Hubbard.

**ADJOURNMENT**

On motion of Representative Tilley, the Veto Session of the Ninety-fourth General Assembly, Second Regular Session, adjourned sine die pursuant to the Constitution.

ROD JETTON  
Speaker of the House

D. ADAM CRUMBLISS  
Chief Clerk of the House